

Observing Nicaragua's Elections, 1989-1990

[The Carter Center](#)

May 1990

COUNCIL OF FREELY-ELECTED

Delegation to Observe the

Members, Representatives, and Staff of the Council

Hon. Jimmy Carter, Former President of the United States and Chairman of the Council

Hon. George Price, Prime Minister of Belize and Vice-Chairman of the Council

Hon. Rafael Caldera, Former President of Venezuela and Member of the Executive Committee of the Council

Hon. Daniel Oduber, Former President of Costa Rica and Member of the Executive Committee of the Council

Hon. Raul Alfonsín, Former President of Argentina

Hon. Alfonso López Michelsen, Former President of Colombia

Hon. Rodrigo Carazo Odio, Former President of Costa Rica

Hon. David Morales Bello, Venezuelan Senator and Chairman of the Senate Foreign Relations Committee; Representative of Council Member President Carlos Andrés Pérez

Dra. Beatrice Rangel, Secretary-General of the Ministry of the Presidency; Representative of President Carlos Andrés Pérez

Hon. O.D. Ramtallie, Minister of Construction of Jamaica and Vice President of the People's National Party, and Representative of Council Member Prime Minister Michael Manley

Dr. Robert Pastor, Executive Secretary of the Council; Professor of Political Science, Emory University; Director, Latin American and Caribbean Program, CCEU

Dr. Jennie Lincoln, Associate Director, Latin American Program, CCEU

Ms. Sandy Reiss, Administrative Assistant, Latin American Program, CCEU

Other Members of the Delegation

Honorable Daniel Evans, Former U.S. Senator and Governor of Washington;
Co-leader of the U.S. group with President Carter

Mr. Genaro Arriagada, Vice-President, Christian Democratic Party (Chile)

Hon. Bruce Babbitt, Former Governor of Arizona

Mrs. Harriet Babbitt, Attorney with Robbins and Green, Arizona

Mrs. Elizabeth Frawley Bagley, Attorney, Washington, D.C.

Mr. Leopold Berlanger, President, Haitian International Institute for Research
and Development

Hon. Douglas Bereuter, U.S. House of Representatives (Repub.-Nebraska);
Member, House Committees on Foreign Affairs and Intelligence

Hon. David Bonior, U.S. House of Representatives (Dem.-Michigan); Chief
Deputy Majority Whip

Mrs. Rosalynn Carter, Former First Lady of the United States

Hon. John Danforth, United States Senate (Repub.-Missouri); Member, Senate
Select Committee on Intelligence

Hon. Christopher Dodd, United States Senate (Dem.-Connecticut); Chairman,
Subcommittee on Western Hemisphere and Peace Corps Affairs, Senate Foreign
Relations Committee

Hon. Elton Gallegly, U.S. House of Representatives (Repub.-Calif.); Member,
Foreign Affairs Committee

Father Fernando Guardia, Church Coordinator of the Panamanian Independent
Vote Count

Hon. Ben Jones, U.S. House of Representatives (Dem.-Georgia); Member,
Public Works and Transportation Committee

HEADS OF GOVERNMENT

Nicaraguan Electoral Process

Hon. Patrick Leahy, United States Senate (Dem.-Vermont); Chairman, Foreign Operations Subcommittee, Senate Appropriations Committee

Hon. Ambler Moss, Dean, Graduate School of International Studies, University of Miami; U.S. Ambassador to Panama (1978-1982)

Hon. Donal (Mike) O'Callaghan, Former Governor of Nevada

Hon. Claiborne Pell, United States Senate (Dem.-Rhode Island); Chairman, Senate Foreign Relations Committee

Hon. Larry Pressler, United States Senate (Repub.-S.D.); Senate Foreign Relations Committee

Hon. Bill Richardson, U.S. House of Representatives (Dem.-New Mexico); Member, House Select Committee on Intelligence

Hon. Olympia Snowe, U.S. House of Representatives (Repub.-Maine); Member, Foreign Affairs Committee

Mr. Maurice Sonnenberg, Chairman of the Executive Committee, Democratic House and Senate Council

Hon. John Whitehead, Former Deputy Secretary of State (1985-89); Chairman of AEA Investors, Inc.

Council's Nicaraguan Elections Project - Managua Office

Dr. Jennifer McCoy, Director

Ms. Leticia Martinez, Coordinator of Logistics

Ms. Liliana Cisneros, Administrative Assistant

Special Consultants/Staff During the Election

Mr. Raul Alconada (Argentina)

Ms. Yunit Armengal, Interpreter for Delegation Visits

Mr. Eric Bord, Emory University

Mrs. Maria Esperanza Grau de Carreras (Costa Rica)

Mr. Santiago Canton (Argentina)

Mr. John Chambers, Senate Intelligence Committee Staff

Mr. Geryld Christianson, Staff Director, Senate Foreign Relations Committee

Mrs. Linda Cisneros (Nicaragua)

Mr. Robert Dockery, Aide to Senator Christopher Dodd

Mr. Rodolfo Echevarria, Aide to President Rodrigo Carazo

Mr. James Gallagher, House Republican Study Committee

Mr. Luis Miguel Gonzalez (Venezuela)

Dr. George Lawton (USA)

Ms. Patricia Mayorga (Nicaragua)

Dr. Richard Millett, Southern Illinois University

Ms. Janice O'Connell, Senate Foreign Relations Committee Staff

Mr. Daniel Romero (Venezuela)

Mr. José Sandoval (USA)

Ms. Nina Serafino, Congressional Research Service

Ms. Janet Shenk, Executive Director, Arca Foundation

Mr. Barry Sklar, Senate Foreign Relations Committee Staff

Mr. David Trauman, Interpreter for Delegation Visits

Mrs. Myrna Torres (Nicaragua)

TABLE OF CONTENTS

1. List of Members of the Delegation and Staff
2. Map of Nicaragua
3. Foreword by Hon. Jimmy Carter
4. Preface and Acknowledgments by Dr. Robert A. Pastor
5. Executive Summary
 - I. Background to the Nicaraguan Elections, 1990

- Nicaraguan Politics and the Central American Peace Plan
- Invitation to the Council to Monitor the Elections
- II. Pre-Election Activities of the Council of Freely-Elected Heads of Government
- III. Election Day Observation
 - Voting Process
 - Counting Procedure
 - The Observers' Independent Vote Counts
 - Election Night
- IV. Election Results and Analysis
- V. The Transition
- VI. Inauguration and the Transfer of Power
- 6. List of Tables
 - I. Summary of Voting Sites (JRV's) Observed by Council
 - II. Presidential Vote Results by Party
 - III. Distribution of UNO Seats in the National Assembly
 - IV. Presidential, Legislative, Municipal, and Autonomy Council Results by Region
- 7. Appendices [See list below]
- 8. Press Clippings

APPENDICES

1. Background on Council of Freely-Elected Heads of Government
2. Hon. Jimmy Carter's letter to the Organization of American States on Panama, May 17, 1989
3. Letter from Hon. Jimmy Carter to President Daniel Ortega, June 30, 1989
4. Invitations to former President Carter to observe Nicaraguan elections from President Daniel Ortega (August 3, 1989), Mariano Fiallos, President of the Supreme Electoral Council (August 4, 1989), and Gustavo Tablada, Coordinator of the International Relations Commission of the National Opposition Union (UNO) (August 7, 1989), and response by Carter (August 8, 1989)
5. The Political Accord of August 3-4, 1990
6. Candidates for President and Vice President
7. Political Parties in Nicaragua
8. September Pre-Election Trip Report, led by former Presidents Jimmy Carter and Raul Alfonsin, September 14-16, 1989
9. Letter from Jimmy Carter to President Daniel Ortega and Brooklyn Rivera on the return of Yatama Indian leaders, September 22, 1989
10. October Pre-Election Trip Report, led by former President Rafael Caldera and Gov. Bruce Babbitt, October 20-23, 1989
11. Voter Registration Figures
12. Symposium on the Nicaraguan Elections, Carter Center of Emory University, November 14, 1989: Agenda
13. Excerpts from the Symposium

14. December Pre-Election Trip Report, led by Jimmy Carter, former President Daniel Oduber, and Gov. Daniel Evans, December 13-16, 1989
 15. Decrees on Campaign Violence of the Supreme Electoral Council of December 16 and 16/18, 1989
 16. January Pre-Election Trip Report, led by Jimmy Carter, former President Alfonso Lopez Michelsen, and Senator John Danforth, January 26-28, 1990
 17. Agreement on the Release of Funds to UNO and IPCE, January 28, 1990
 18. February Pre-Election Trip Report, led by Prime Minister George Price, former President Rodrigo Carazo, and Senator Christopher Dodd, February 8-11, 1990
 19. Supreme Electoral Council Decree on Announcement of Election Results, February 19, 1990
 20. Itinerary for Council's Election Visit
 21. Arrival Statements by Jimmy Carter and Prime Minister George Price, February 23, 1990
 22. Joint Statement of the Council of Freely-Elected Heads of Government, the Secretary General of the Organization of American States, and the Special Representative of the U.N. Secretary General on the Election Campaign, February 24, 1990
 23. Election-Day Observation
 - A. Deployments of Teams to all 9 regions
 - B. Council Observation Form
 - C. Council/OAS Quick Count Form
 24. Statements by President Daniel Ortega, Sra. Violeta de Chamorro, and President George Bush, February 26, 1990
 25. List of Members of the Legislative Assembly
 26. Transcript of Remarks by Jimmy Carter at Department of State, February 28, 1990; Statement by the Department of State on Nicaragua, March 2, 1990
 27. Protocol of Transition Between the Outgoing and Incoming Administrations, March 27, 1990
 28. Letters from Jimmy Carter to Mrs. Chamorro and Daniel Ortega, April 25, 1990
 29. Excerpts from Inaugural address of Violeta Barrios de Chamorro, April 25, 1990
- Selected Bibliography on Nicaragua, Election Observation Reports, and Democracy

Foreword

In November 1986, former President Gerald Ford and I co-chaired a Consultation at The Carter Center of Emory University on "Reinforcing Democracy in the Americas." Ten current and former Heads of Government from throughout the hemisphere joined us, together with some of the best scholars of democratization in the world. This group then addressed the question of why the pendulum had

swung between dictatorship and democracy in Latin America and the Caribbean in the past and what could be done to stop the pendulum, to maintain and consolidate democracy.

At the conclusion of the discussion, the Presidents and Prime Ministers met privately and decided to form a group to reinforce democracy in the Americas. Called the Council of Freely-Elected Heads of Government, the group asked me to be Chairman; George Price, the Prime Minister of Belize, to be Vice Chairman; and Dr. Robert Pastor, Director of The Carter Center's Latin American Program, to be Executive Secretary.

Since then, the Council has used its voice and influence to buttress democratic forces in Argentina and Haiti and to monitor elections in Panama and Nicaragua. No effort was as extensive and rewarding as working with the people of Nicaragua, to help them realize their dream of having a free and fair election on February 25, 1990.

I would personally like to thank the members of the Council who participated in the Nicaragua project: Prime Minister George Price of Belize, Rafael Caldera of Venezuela, Daniel Oduber and Rodrigo Carazo of Costa Rica, Raúl Alfonsín of Argentina, Alfonso López Michelsen of Colombia, and representatives of Carlos Andrés Pérez of Venezuela and Michael Manley of Jamaica. Without these distinguished leaders, and without the cooperation of Joao Baena Soares, the Secretary General of the Organization of American States, and Elliot Richardson, the Special Representative of the U.N. Secretary General, our group could not possibly have been as credible and effective as it was.

Many other leaders from Latin America and the United States joined us, including a bipartisan delegation from the U.S. Congress. I am grateful for their support and participation, and particularly to my co-chair, Governor Dan Evans. I would also like to thank Dr. Robert Pastor, whose understanding of Nicaragua and tireless efforts helped the project to succeed.

Jimmy Carter

Preface and Acknowledgements

This report is a survey of the activities of the delegation led by the Council of Freely-Elected Heads of Government that was invited to monitor the Nicaraguan electoral process from September 1989 through the inauguration of Violeta Barrios de Chamorro. Though we had originally intended to complete our work soon after the election, our delegation was asked by former President Daniel Ortega and current President Violeta Barrios de Chamorro to assist during the transition between the election and the inauguration on April 25th. We therefore decided to extend the report to cover that period.

While this report attempts to place the election in a broader context and explain some of the key events, it focuses much of its attention on the activities and work of the delegation since other reports and articles concentrate on the election or other groups' activities.

Support for the Nicaraguan Election Project of The Carter Center of Emory University came from many different sources, and we would like to thank them all. First of all, we are grateful to the financial support provided by the U.S. Congress and to Norma Parker and Sharon Isralow of the Agency for

International Development for extending assistance without conditions, despite the project's complete independence. In addition, we appreciate the help given to the project and the Latin American Program by the Arca Foundation, the MacArthur Foundation, AT & T, Mr. Eugenio Mendoza and the Venezuelan-American Banking Corporation, C. Itoh & Co., Ltd., and Dr. Jose Serrato. Our experience in monitoring the elections in Panama provided invaluable lessons that were put to good use in Nicaragua, and we are grateful to the National Democratic Institute for International Affairs, and particularly, to Brian Atwood, Ken Wollack, Larry Garber, and Glenn Cowan for their advice and for the model they have developed for observing elections. During the elections themselves, Leticia Martinez, who has organized many similar missions for NDI, took temporary leave, and did a superb job together with a staff listed at the beginning of the report to ensure that the entire 34-person delegation would have productive visits to all nine regions of the country.

Throughout the project, the Council consulted with and coordinated its activities with the observer missions of the OAS and the UN. We are especially appreciative of the support provided in all the regions by members of the OAS field teams during delegation visits and on election day.

For their dedicated work throughout the entire project and for coordinating the delegation's activities from Atlanta, I would like to thank Dr. Jennie Lincoln, the Associate Director of the Latin American Program, and Ms. Sandy Reiss, the program's coach and utility infielder. In addition, the following students from Emory University helped us as Carter Center interns throughout the project, compiling information from Managua, coordinating with other observer groups, and preparing materials and briefing books for the delegation: Monty Agarwal, Felicia Altman, Kenneth Brandeis, Reid Flamer, Yvette Garcia, Deanna Kerrigan, Kimberly Olson, and Daniel Soles.

One person, however, who deserves much gratitude from everyone associated with this project is Dr. Jennifer McCoy, an Assistant Professor of Political Science at Georgia State University. She agreed to take a leave of absence in the fall of 1989 to establish and direct an office in Managua for the duration of the electoral process and to be the Council's representative in Nicaragua. With her able assistant, Ms. Liliana Cisneros, Dr. McCoy worked with exceptional commitment and great expertise and skill to keep the delegation up-to-date on the issues and events and to ensure that all of the delegation's visits were productive.

Jennifer McCoy was responsible for most of the initial draft of this report; Jennie Lincoln wrote part of the section on election-day observation and supervised the production of the report; Sandy Reiss typed, organized, and compiled the papers and the appendices; and I wrote several of the sections and helped organize and edit the rest.

The principal task of this report is to describe the activities of the Council's delegation. But we also hope that the report illuminates the pivotal moments in the electoral process in a manner that will permit people to understand how Nicaraguans, with the reinforcement of trusted international intermediaries, were able to conduct a free and fair election.

Robert A. Pastor

Atlanta, Georgia

May 1, 1990

Executive Summary

1. During the entire electoral process, the political system in Nicaragua gradually opened so that by election day, the major political parties acknowledged that they had an adequate opportunity to explain their positions to the Nicaraguan people. The Council of Freely-Elected Heads of Government shared the conclusion of the parties: the Nicaraguan people were free to vote their preferences in a fair election, and the official results reflected the collective will of the nation.
2. For the first time in Nicaraguan history, all of the political parties that began the electoral campaign completed it, and all agreed to accept and respect the vote both before the election and afterwards.
3. The people of Nicaragua were eager to vote; 89 percent of those eligible registered, and 86 percent of these voted. A significant majority voted for change. The fact that the FSLN and UNO together won more than 95 percent of the vote was a reflection of the polarization of the country, and the extent to which the election was a referendum on Sandinista rule. At the same time, however, with nearly 41 percent of the vote, the FSLN retains considerable support in the country and remains the largest party.
4. The Central American Presidents together with other democratic Presidents and the international observers all reinforced in a crucial way the desire of the Nicaraguan people to have a free and fair vote.
5. In particular, the international observers worked to build trust in the process, and the Council's delegation sought to resolve disputes that led one side or the other to question the fairness of the election or the commitment of their adversaries to a free election. The decision to invite official international observers was a sign of the government's seriousness in a free election, but it also obligated the government to abide by its promise to hold free and fair elections, and it encouraged the opposition to remain in the race. The Council's observers were not passive recorders of events, but active mediators and conciliators, who worked to prevent violence and build trust in the election and its results.
6. Observer teams complemented each other. The OAS provided excellent fieldwork with observers who came to know the regions well, were trusted by both sides, and whose presence helped contain violence and resolve conflicts. Also, a large OAS team during the elections provided for comprehensive observation-in some conflicted zones, 100 percent of the JRVs were visited-that reassured voters and guaranteed verification of the integrity of the process and the count. The UN also provided good teams in the field, excellent analyses of complaints, and a quick count that provided early and accurate projections on the night of the elections. The Council delegation had more flexibility as a private group. With high visibility due to the prestige of its members and its Chairman, President Carter, its actively mediated conflicts between President Ortega, Mrs.

- Chamorro, and other key leaders in the country. The group also encouraged leaders from the major parties to understand the need for reconciliation after the election in order to rebuild the country and end the war.
7. Many problems arose throughout the course of the electoral process, but with the help and pressure of international observers, the dedication of the Supreme Electoral Council, and the desire of the political parties, most of these were addressed satisfactorily.
 8. Voting procedures were excellent. A secret vote and honest count occurred.
 9. The civic education campaign by the Supreme Electoral Council and the Church assured people that their vote was secret.
 10. The dedication of the Nicaraguan people to vote for change and reconciliation offered the country the opportunity to heal its divisions and restore its economy within a new consensual framework. President Violeta Barrios de Chamorro's leadership in calling for reconciliation, in her first statement after the elections and in her inaugural address, explains part of the reason why she was elected and why she offers promise to her country.

I. Background

Nicaraguan Politics and the Central American Peace Plan

Until February 25, 1990, Nicaragua had never had an election in which the winners and all the losers accepted and respected the results. Peaceful political changes have been rare in Nicaragua's political history, and, by and large, elections have been farces.

Historically, the government of Nicaragua has viewed the opposition as weak, fragmented, and ineffectual, and has done everything it could to keep it like that. The opposition has viewed the government as coercive and corrupt. Opposition groups have long sought outside help from the regime's enemies. Thus, internal strife was inextricably connected with international intervention. While Nicaraguans have fought Nicaraguans, the United States has been at the center of that small country's consciousness. North Americans have intervened since William Walker's expedition in the 1850s. Few recall that Walker was invited by the Nicaraguan opposition, and that he was discouraged by the U.S. government, but the pattern of domestic division and international intervention was established then, and it has been repeated often.

For the first three decades of the twentieth century, U.S. armed forces were the arbiter of Nicaragua's politics, and the intervention left a permanent scar on the country. Before withdrawing its troops, the United States supervised elections and helped to establish a National Guard. In 1933, President Juan Sacasa appointed his nephew Anastasio Somoza Garcia as the first Director of the Guard, and within three years, Somoza used the power he had accumulated to overthrow his uncle and name himself President.

Anastasio Somoza ruled Nicaragua for 20 years. His eldest son, Luis, succeeded him when he was assassinated in 1956, and Luis and his younger brother,

Anastasio Somoza Debayle, governed with increasing greed and repression until the latter was overthrown by a national revolution led by the Sandinista Front on July 19, 1979. Instead of being liberated from its tragic past, however, Nicaraguans-both Sandinistas and their adversaries-soon found themselves condemned to repeat it. (So too did the United States). The first Junta lasted less than one year before two moderate members, Violeta Barrios de Chamorro and Alfonso Robelo, resigned over the direction that the FSLN was taking the country and over the postponement of elections.

In late 1980, the Sandinista government provided arms to the Salvadoran guerrillas, and within one year, the U.S. government began to organize and arm a counter-revolutionary group, subsequently known as the contras, to attack the Sandinistas. In March 1982, the Nicaraguan government declared a state of emergency, making dissent more difficult. The war expanded.

The government moved up the date of elections to November 1984. The opposition initially participated in the election, but after Sandinista harassment of some campaign rallies, several prominent groups withdrew and urged their followers to abstain. Though some international groups judged the election as basically fair, the victory of Daniel Ortega and Sergio Ramirez was marred by the rejection of several prominent opposition groups and by the United States.

In January 1983, the Foreign Ministers of four governments-Venezuela, Mexico, Colombia, and Panama-met on the Panamanian island of Contadora and launched negotiations designed to reduce external intervention and militarization and bring peace to Central America. Despite many draft treaties, the Contadora Initiative did not succeed.

The war intensified in 1985 and 1986, but so did the efforts by Central Americans to make peace. In Esquipulas, Guatemala in August 1987, the five Presidents signed a plan that had been first proposed by Costa Rican President Oscar Arias. As contrasted with the Contadora Plan that sought to end East-West conflict in the area, the Esquipulas Accord aimed to promote democratization and national reconciliation as the way to cut the cord connecting internal strife and international intervention. The Central American peace plan helped create an environment that made possible a dialogue between the Nicaraguan government and its internal and external (the contras) opposition.

At the inauguration of Venezuelan President Carlos Andrés Pérez in February 1989, Daniel Ortega discussed with Pérez and Jimmy Carter, among others, his ideas for moving up the scheduled elections in exchange for regional support for the demobilization of the contras. At their summit meeting at Tesoro Beach, El Salvador on February 14, 1989, the Central American presidents approved the plan. Nicaragua agreed to advance the scheduled elections from November 1990 to February 1990 and to reform its electoral law, and Honduras pledged to work with the UN and the OAS to demobilize and repatriate the contras.

One month later, on March 24, Secretary of State James Baker and the U.S. Congress completed the Bipartisan Accord which declared strong support for the Central American peace plan, denied further military aid to the contras, but allowed humanitarian aid until the elections.

In April 1989 the Sandinistadominated National Assembly approved a new electoral law, though the opposition was dissatisfied with it. In June, 14 political parties united to form the National Opposition Union (UNO) to contest the elections against the FSLN. Later in the month, the five members of the Supreme Electoral Council (SEC) and their alternates were chosen by the National Assembly from lists provided by the political parties through President Ortega. UNO protested that the composition of the SEC favored the FSLN and only allowed for one of its members. The FSLN responded that there were two members from the FSLN, two from the opposition (one from UNO and the other from PCD), and one independent.

The Invitation to the Council

In the Central American Accord signed in El Salvador on February 15, 1989, the five Presidents described the outlines of a free electoral process in Nicaragua, and President Ortega agreed to invite international observers, including the Secretaries General of the United Nations and the Organization of American State. Though the invitations were unprecedented, both international organizations accepted.

On March 30, 1989, several leaders of the Council of Freely-Elected Heads of Government, including Presidents Carter and Ford, President Carlos Andrés Pérez of Venezuela, Prime Ministers Michael Manley of Jamaica and George Price of Belize, former Presidents Rafael Caldera of Venezuela and Daniel Oduber of Costa Rica, met at The Carter Center with U.S. Secretary of State James A. Baker III (See appendix 1 for background on the Council and its composition). They discussed the entire Hemispheric Agenda, and agreed on the need for multilateral approaches to make peace in Central America and monitor elections.

At the meeting, the Council reviewed a preliminary report about the elections in Panama scheduled for May 7, 1989 and decided to monitor the election if the government permitted it. On April 24, President Carter sent Dr. Robert Pastor to Panama to meet with General Manuel Antonio Noriega and leaders of the opposition to discuss the prospects for monitoring the election. The opposition encouraged the Council to observe the elections, and General Noriega reluctantly accepted it.

Under the auspices of the Council Presidents Carter and Ford led an international and bipartisan delegation, sponsored by the National Democratic and Republican Institutes for International Affairs, to observe the election. The Council found that the electoral process had not been fair, but Panamanians still turned out in large numbers to vote for change. A "quick count" organized by the Church suggested that Noriega's candidates lost by a margin of 3 to 1. When the proper vote counts were substituted by counterfeit ones, President Carter denounced this and urged the OAS to condemn Noriega and declare its support for the opposition coalition led by Guillermo Endara (See appendix 2 for Carter's letter to the OAS).

In June, President Daniel Ortega invited President Carter and Dr. Pastor to attend a symposium in Managua, commemorating the tenth anniversary of the revolution. President Carter sent a letter with Dr. Pastor that expressed his hope

that free and fair elections would end the conflict in Nicaragua and improve relations with the United States (See appendix 3 for President Carter's letter to Ortega). In late July, Dr. Pastor met with President Ortega, Vice President Ramirez, the President of the Supreme Electoral Council (SEC), and opposition leaders and described the Council of Freely-Elected Heads of Government and its various activities, including the observation of the elections in Panama. In August, President Ortega, the SEC, and UNO each sent letters to former President Carter, as Chair of the Council of Freely-Elected Heads of Government, inviting him to form a delegation to observe the electoral process (See appendix 4 for the invitations and President Carter's response). Given President Carter's record of denouncing the fraud in Panama, the decision to invite his group to Nicaragua was a sign of the seriousness of the parties to have a free and fair election in Nicaragua. The letters promised the Council unrestricted access to the entire electoral process and the vote count on election day. President Carter accepted the invitation and after consulting with members of the Council, assembled an international and bipartisan delegation of 34 people.

At the same time as President Ortega was inviting the Council, he responded to the request by the opposition parties for a National Dialogue to discuss their concerns about the electoral process. Further reforms were made to the electoral law to provide the most important guarantees desired by the opposition. All of the Nicaraguan parties that participated in the Dialogue also expressed their support for the demobilization of the contras (See appendix 5 for the political accord). Immediately after, the Tela summit meeting of the Central American presidents reaffirmed these points and established a combined OAS-UN mechanism for disarming and repatriating the contras.

By September 1989, ten parties and alliances had registered presidential and vice presidential candidates for the elections (See appendices 6 and 7).

II. Pre-Election Activities of The Council

Former presidents Jimmy Carter and Raúl Alfonsín initiated the Council of Freely-Elected Heads of Government election-monitoring project with a visit to Nicaragua on September 16-19, 1989. They were accompanied by Senator David Morales Bello and Deputy Minister of the Presidency Beatrice Rangel of Venezuela, Raúl Alconada of Argentina, and Drs. Robert Pastor and Jennie Lincoln of The Carter Center (See appendix 8 for trip report).

The group met with government and opposition leaders and with the Supreme Electoral Council, who gave assurances that the Council's observer delegation would have complete access, along with the observer missions of the United Nations and the Organization of American States, to the voting *and the counting*. The three observer groups would also receive copies of the certified final actas (vote tallies) so that they could undertake an independent tabulation of the vote. The group concluded at that time that although significant differences remained between the Nicaraguan government and the opposition on issues regarding media access, and the composition and balance of the Supreme Electoral Council, a commitment by both sides to participate in the elections was evident,

demonstrated especially by the August 4 Political Accord among the Nicaraguan political parties.

Former President Carter also travelled to the Atlantic Coast to meet with Minister of Interior Tomas Borge and to assess the conditions for the participation of the Miskito Indians in the political process. President Carter mediated an agreement whereby the government modified its previous conditions for the reentry of Miskito Indian leaders, and Brooklyn Rivera and other leaders agreed to return to Nicaragua to participate peacefully in the electoral process (See appendix 9). During the visit, President Carter also met with the observer missions of the UN and the OAS, and subsequently with OAS Secretary-General Joao Baena Soares and UN Special Representative Elliot Richardson in Washington, D.C. During these meetings, the three groups agreed to coordinate their missions to minimize duplication and improve their collective capacity to observe the elections.

Based on the September trip, President Carter and the Council staff developed the monitoring role and activities of the Council observer delegation, with the goals of observing the electoral process in an impartial and neutral manner and contributing to the task of national reconciliation in Nicaragua. A permanent office for the Council was established in Managua and Dr. Jennifer McCoy of Georgia State University was appointed to direct the office and represent the Council in Managua.

The monitoring activities of the Council were organized around the phases of the electoral process, beginning with the October voter registration drive, and continuing through the onset of the campaign in December, the growing intensity of the campaign's latter stages, the vote, the count, and the transition. Most members of the delegation visited Nicaragua at least once before the February elections to monitor the campaign period and to become acquainted with the process and the participants.

Voter Registration

During four Sundays in October, a total of 1,752,088 Nicaraguans registered to vote, representing 89 percent of an estimated population of 1.9 million people. Former Venezuelan President Rafael Caldera and former Governor Bruce Babbitt led the second Council delegation on October 20-23, 1989, accompanied by former Governor Donal (Mike) O'Callaghan, Elizabeth Frawley-Bagley, and Harriet Babbitt (See appendix 10 for a list of members and a full report). The delegation observed the last Sunday of registration, during which it visited a total of 59 Juntas de Receptoras de Votos (JRV's or registration/voting sites) in three regions of the country-Leon, Granada and Managua-and found no significant irregularities. Based on discussions with party leaders and election officials, however, the group expressed its concern over several issues, including the need to extend registration in those regions in which not all JRV's were opened (especially Regions VI and VII), the need to open additional JRV's on election day to accommodate voters in those sites with more than 400 registrants, and the need to improve the inequity in access to television and radio for campaign purposes.

While technical and administrative difficulties slowed registration in the first two Sundays, and security reasons forced the closing of 63 JRV's, the international observers, the opposition and the Supreme Electoral Council concluded that for the most part, the registration effort was carried out smoothly and that the large numbers of registrants attested to a successful operation. (See appendix 11 for registration statistics by date and region. Due to security reasons, some registration sites were not opened in October; five sites were reopened on November 12 and twelve additional sites were reopened on February 11. The total registrants includes these late registrations as well as contras who returned and registered under the amnesty before February 5). The Supreme Electoral Council and UNO subsequently verified the voter registration lists, and *La Prensa* praised the registration process.

Pre-Campaign Period

November 1 - December 3)

With the close of the voter registration period in October, a pre-campaign period of party rallies began in earnest in November. Dr. McCoy monitored this period, travelling around the country to observe campaign rallies and reporting to delegation members on the development of the campaign and the issues and complaints raised by all parties. In Atlanta, The Carter Center of Emory University sponsored a public forum on the Nicaraguan elections, with speakers including Mariano Fiallos, President of the SEC, Alejandro Bendaña of the FSLN, Alfredo César of the UNO, Moises Hassan of the MUR, Elliot Richardson of the UN, and Mario Gonzalez of the OAS (See appendices 12 and 13 for the agenda and excerpts from the forum).

The major issues during this period included Nicaraguan Resistance (contra) activities and the government's suspension of the cease-fire on November 1, access to the media, campaign violence, intimidation of opposition supporters, abusive campaign rhetoric in the media, and decisions on election-day procedures. Increased military-contra clashes in October and a lack of any progress on contra demobilization, despite the clarity of the Central American Accords calling for demobilization by December 5, led the Nicaraguan government to suspend the cease-fire on November 1. Soon after that, the Nicaraguan government began talks directly with the Resistance leaders in New York and Washington, but the contras declined to consider demobilization before the elections, and the talks broke up in mid-November.

The issue of media access was addressed in November when the international observers and the Supreme Electoral Council pressed the Sandinista TV System to provide the political parties access to the strongest television signal-Channel 6. A new, free hour-long program-*Elecciones 90*-began on November 9 giving thirty minutes to each party on a rotating basis. The program continued throughout the campaign period, with modified format.

Campaign violence began with rock-throwing incidents at several UNO rallies in November and escalated until one person was killed and several seriously injured at an UNO rally in Masatepe on December 10. These incidents set the stage for a concerted effort by the parties, election officials, and international observers to prevent a recurrence of such violence.

Official Campaign Period (December 4 - February 21)

Former Presidents Carter and Daniel Oduber of Costa Rica, with co-leader Daniel Evans of the United States, led a third delegation visit on December 13-16 to observe the beginning of the official campaign period (See appendix 14 for full report). In the wake of the campaign violence in the first part of December, Vice President Sergio Ramirez told President Carter that the government intended to issue a decree to end such violence. President Carter suggested as an alternative that the Supreme Electoral Council take the lead in negotiating a set of guidelines with the other parties; Ramirez agreed and also asked President Carter and his delegation to assist in drafting the points of such an agreement. The delegation travelled to Region VI (Matagalpa) and Region I (Esteli), the regions with the highest numbers of complaints of violence and intimidation, to meet with political leaders and to begin to draft a document with specific steps to prevent campaign violence. The group was encouraged that party leaders from all sides wanted to end the electoral violence. Party leaders in Regions I and VI had already been working with the OAS and UN observers and regional election officials to reach a consensus on ending campaign violence.

The Council delegation consulted with regional and national party and election officials and with OAS and UN observers to develop specific national guidelines to minimize the chances of violence at political rallies in all regions. One of the most contentious issues had been the proper role of the police. UNO leaders felt that a visible police presence had intimidated their supporters from attending rallies. Yet the lack of an active police role at Masatepe contributed to the violence and death on December 10.

The Council helped draft guidelines that included provisions to prohibit weapons of all kinds at rallies, to ban the sale of alcohol during the time of the rally, to regulate the location and activity of police at rallies, and to moderate the political rhetoric. The draft also encouraged party leaders publicly to accept the results of the February election and work for reconciliation regardless of who might win. The SEC also solicited proposals from the political parties on how to end the campaign violence. After much discussion over various proposals, a very general statement was signed by eight political parties, but UNO chose not to sign because it included a provision that they viewed as deliberately provocative. President Carter then submitted the Council's draft guidelines to President Ortega, Mrs. Chamorro, and Dr. Fiallos. All endorsed the draft, and the Supreme Electoral Council then issued a second decree based on these guidelines, with some modifications. The major political parties then publicly endorsed them (See appendix 15 for the two decrees).

At a rally held soon after the decree was issued, Antonio Lacayo, UNO Campaign Manager, approached Rene Vivas, Vice Minister of the Interior, to compliment him on the constructive way the police were behaving. Vivas indicated that the new instructions for the police and the cooperation of UNO would likely be able to prevent any further incidents.

During the delegation's December visit, the U.S. Embassy hosted a dinner for the group, representatives of all the major parties, and the Ambassadors of potential

and actual donors, including Japan, and a number of other countries from Western Europe, Venezuela, the Soviet-Union, East and West Germany. At the dinner, President Carter told the Ambassadors that after his return to the United States, he would send letters to their Heads of Government, urging them to make a commitment to aid Nicaragua if the election were judged free and fair. If the election were not free, then reconciliation within the country would not occur, and additional aid would be of limited use. However, a clear commitment on the part of these governments to aid Nicaragua in the event of a free election would serve as an important incentive for Nicaraguans to participate in a free election, and it would offer them the hope that after the election, they might be able to restore their nation's economy.

By the December visit, it was clear to both the Nicaraguan government and the opposition that the contra issue would not be resolved before the February 25th election, but it was equally clear to the leadership of both sides that if procedures were not accepted for demobilizing the contras immediately after the election, the contras might prove to be a serious barrier to reconciliation and economic recovery regardless of which side won. The Sandinistas, very confident of victory, were also hopeful that a free election would mean an improved relationship with the United States, and they therefore offered a number of proposals for post-election contra demobilization and normalization of relations, but the U.S. Administration was uninterested in these proposals, and the Nicaraguan government did not try to re-open negotiations with the contras on these proposals.

The December 20 invasion of Panama by the United States, followed by the intrusion into the residence of the Nicaraguan ambassador in Panama, promoted alarm and a state of military alert in Nicaragua as well as the expulsion of U.S. diplomats from Nicaragua. These actions had an indirect effect on the electoral process in Nicaragua as a result of a communique issued by Minister of Defense Humberto Ortega outlining contingency plans in the event of a U.S. invasion of Nicaragua. UNO leaders particularly objected to one clause of the communique calling on the army, in the case of "Yankee intervention", to "apply the plans of neutralization, judgment and execution of all those recalcitrant traitors...that had advanced the intervention."

UNO leaders viewed this as a direct threat against them because they had been repeatedly accused in the Sandinista press of being "bought" by the United States. International observers criticized the communique and the SEC asked for a public clarification, stating that it could impede the free action of opposition candidates in the campaign. Although the communique was never rescinded by the government, Humberto Ortega issued a clarifying statement that the armed forces would continue to defend a free and fair election. The issue, however, was soon overtaken by the Christmas holidays and other problems, and when the Council's delegation visited in late January, no one raised the issue of the U.S. invasion or the Ortega communique.

At the start of the new year, the UNO campaign was slowed when the presidential candidate suffered a knee injury and was hospitalized in the U.S., and the vice presidential candidate toured the United States seeking funds. By

mid-January, however, both of the major parties stepped up the campaign, holding daily rallies throughout the country.

January Delegation Visits

Council delegation member Senator Christopher Dodd visited Nicaragua on January 5-6 to meet with party leaders and attend campaign rallies. President Carter and former President Alfonso López Michelsen of Colombia then led another delegation visit to Nicaragua on January 26-29, accompanied by Rosalynn Carter, Senator John Danforth, Congressmen Douglas Bereuter and Bill Richardson, and Dr. Robert Pastor (See appendix 16). Along with members of the OAS and UN observer missions, the delegation witnessed a simulation of the procedures to be followed in the voting sites on election day.

The delegation concluded that excellent technical preparations had been made for the voting. The delegation also attended campaign rallies of presidential candidates Daniel Ortega in Rivas and Violeta Chamorro in Jinotepe (both in Region IV) and confirmed that the December guidelines were in fact being followed, producing well-attended and peaceful rallies.

The principal concerns raised during this visit related to charges of intimidation and harassment of opposition party candidates and poll-watchers (fiscales), inaccessibility of the funds provided by the U.S. Congress to the opposition, and continued complaints about imbalance in media campaign coverage and access and the use of government facilities and vehicles by the FSLN for campaign purposes.

In discussions with party and government leaders and in the concluding press statement, Senator Danforth made clear the delegation's view that it was in the interests of both the Sandinistas and the opposition that opposition poll-watchers be present at all polling sites on election day. If this did not occur, President Carter told President Ortega, then the delegation would have difficulty verifying the integrity of the election. President Ortega pledged to give public and private instructions to FSLN supporters and government workers that intimidation of opposition members would not be tolerated.

The delegation also worked to overcome the impasse over the delivery of funds appropriated by the U.S. Congress to UNO, the Institute for Electoral Promotion and Training (IPCE) and the Supreme Electoral Council. The funds had been held up since their approval in October by, first, delays from the U.S. side in setting up the mechanisms and procedures for delivery, and then, Christmas holidays and bureaucratic delays in Nicaragua. Senator Danforth and Congressmen Bereuter and Richardson expressed the strong feelings of Congress that any further delays would adversely affect the perception in the United States of the entire electoral process. Congressman Richardson met with Minister of External Cooperation Henry Ruiz and officials from the Central Bank and the Finance Ministries to try to facilitate the release of funds.

After this meeting and then subsequent discussions between the delegation and President Ortega, President Carter then drafted an agreement between the Nicaraguan government and Central Bank officials whereby funds would be delivered without further delay to UNO, IPCE, and the SEC. It was agreed that IPCE and the SEC would work in harmony to assure that activities and

expenditures of IPCE would be in accordance with Nicaraguan law and election procedures. The SEC would assure compliance with the agreement, which was signed by representatives of IPCE and the SEC, and witnessed by President Carter (See appendix 17 for text). Funds were released shortly thereafter.

The delegation also obtained an agreement with the Nicaraguan government to increase the number of U.S. Congressmen in the Council's observer team up to a maximum of 12 members, some of whom would be members of the previously designated Presidential Commission (which had not been approved by the Nicaraguan government). Finally, the group discussed with the OAS and UN observer missions preparations for the parallel vote tabulation to ensure adequate verification of the vote count.

February Pre-election Trip

The final pre-election visit by the delegation was led by Prime Minister George Price of Belize, accompanied by former President Rodrigo Carazo of Costa Rica, Senator Christopher Dodd, Mike O'Callaghan, and Ambler Moss on February 8-11 (See appendix 18 for the report). The group visited Puerto Cabezas in Region VII and attended campaign rallies in Boaco (Region V) and Masaya and Granada (Region IV). Again, the rallies were peaceful, with large and enthusiastic crowds for both UNO and the FSLN. Members of the delegation also witnessed the release of 1,190 political prisoners on February 9.

The delegation noted progress on some issues, including an extension of the deadline to name pollwatchers, increased access to television, the opening of 12 registration sites in Region VII that had been closed during the October registration period, and changes in the election procedures to reduce the number of voters at each voting site. However, the delegation continued to hear concerns from UNO about intimidation of fiscales, and from the FSLN about contra violence against FSLN activists. Also, the group expressed its concern to the SEC about the possibility of violence or disruptions on election day, based on reports given the delegation by both the UNO and FSLN, and encouraged the SEC to announce publicly plans to prevent any clashes.

During the remaining two weeks before election day, tension rose in the country with accusations from both sides that the other did not plan to recognize election results if they went against them, that each side planned to put their supporters in the streets permanently on election day and night, and rumors that UNO was planning to pull out of the elections. As the campaign came to a close, the SEC negotiated an accord with the political parties on February 19, witnessed by the UN, OAS, and The Carter Center, in which all public rallies would be banned and all vote projections or opinion polls would be prohibited until midnight of February 25 (See appendix 19). Mrs. Chamorro publicly and fully endorsed the accord two days later.

The closing campaign rallies of UNO and the FSLN were held in Managua on February 18 and 21, respectively, with UNO drawing an estimated crowd of 50,000-100,000 people and the FSLN 200,000-300,000 people. All campaign activities were prohibited between February 22 and 25.

III. Election Day Observation

On February 25, 1990, Nicaraguans cast their ballots for President and Vice-President, representatives to the National Assembly, members of Municipal Councils in 131 municipalities and members of Regional Autonomous Councils in the Atlantic Coast regions. One and one-half million people-or 86 percent of those registered-voted throughout the country.

The Council delegation of 34 members arrived in Managua on February 23 for briefings on the campaign and the voting and counting process. The delegation met with Violeta de Chamorro, Sergio Ramirez and Bayardo Arce, Mariano Fiallos, and the heads of the OAS and UN observer missions. On behalf of the delegation, Prime Minister Price gave an arrival statement, explaining the international and bipartisan character of the group and its previous activities. President Carter gave a briefer arrival statement in Spanish and urged Nicaraguans to vote "and be confident that your vote will be secret and that your vote will count. We are here to make sure of that." He also explained how the Council, the OAS, and UN observers would be working together and monitoring "every step of the process and do parallel tabulations of the vote to guarantee that the final results reflect the will of the people" (See appendices 20 and 21 for the list of delegation members, the itinerary, and the arrival statements).

The delegation asked the principal candidates if they had adequate opportunities to convey their positions to the electorate, whether they felt the vote would be free and fair, and whether they would respect the vote. All the candidates answered affirmatively, though Mrs. Chamorro complained that the FSLN had made it difficult for UNO to import a loud-speaker system from Costa Rica for their final campaign rally. On February 24, the delegation held a joint press conference with OAS Secretary-General Joao Baena Soares and UN Special Representative Elliot Richardson in which all three missions urged Nicaraguans to vote, confident that it would be secret. The three concluded that despite difficulties and moments of tension in the campaign, "conditions exist in Nicaragua in which the people may freely express their choices on the day of the election" (See appendix 22).

The Council's delegation divided into 14 teams to be present in all nine regions when the polls opened on election day (See appendix 23A for team deployments). The teams travelled on Saturday, February 24, to the regions to meet with regional election officials and party workers prior to the voting. The polling places observed were selected in coordination with the OAS to ensure maximum coverage by the international observers (See Table I).

Beginning with the opening of the polls at 6 a.m. on Sunday morning, February 25th, the delegation's teams visited 205 JRVs throughout the day. Some of the teams were accompanied at various times by OAS observers. In all regions, contacts were made during the day with OAS and UN observers. Delegates visited a broad mixture of sites that ranged from the most populated JRV in Managua, with 2,223 voters to a small polling site reached by helicopter at Waspam on the Rio Coco in Region VII (North Atlantic Coast Region). OAS observers covered 3,064 JRVs (70%) throughout the day and the UN accounted for 2,155 JRVs (49%). Thus, most of the JRV's were observed by the three main observer groups during the day.

TABLE I: SUMMARY OF VOTING SITES (JRVs) OBSERVED BY DELEGATION OF COUNCIL OF FREELY-ELECTED HEADS OF GOVERNMENT

REGION	# of Observers/Staff	# JRVs Visited
I - Esteli	5	29
II - Leon/Chinandega	7	24
III - Managua	7	32
IV - Granada	8	25
V - Chontales/Juigalpa	6	42
VI - Matagalpa	5 (+3 from Reg. I team)	15
VII - North Atlantic Coast	3	17
VIII - South Atlantic Coast	5	19
IX - San Carlos	(2) (from Reg. V team)	2
TOTAL	46	205

Delegates completed an evaluation form for each JRV observed (See appendix 23B for Council JRV Evaluation form) that would provide the basis for an aggregate assessment of the observations of the group. At the end of the day, delegates were stationed at particular voting sites to observe the count and to report the results to the OAS as part of the independent and quick count efforts (See appendix 23C for Council/OAS Count Report Form). Delegates also observed the collection of ballots and the recount at the regional electoral headquarters. Other delegates monitored the arrival of the telexes and the computation of results at the national vote count center.

The following, very minor irregularities were reported at 10 of the 205 JRVs (5 percent) observed by Council delegates: (1) election materials missing or insufficient for number of registered voters; (2) the absence of JRV officials other than poll-watchers; and (3) the indelible ink was defective.

Similar observations were noted by both the OAS and UN observer groups, and all agreed that these problems were not significant enough to affect the process or the results.

Voting Process

Voting was held at 4,383 sites (JRVs) throughout the nine electoral regions of Nicaragua. (Nine polling places did not open in Regions VI and VII due to security reasons.) According to the electoral law citizens would vote in the same location where they had registered, though no more than 400 would vote at a single location. At the request of UNO, the SEC added voting facilities at existing sites to accommodate those with more than 250 registered voters.

A local electoral tribunal of a President and two additional members oversaw the process at each JRV. The President and First Members generally were members of the FSLN. The Second Member was chosen by the other political parties and was usually an UNO representative. While disputes would be resolved by a majority of the tribunal, the presence of a Second Member and opposition pollwatchers was supposed to provide a safeguard from partisan decision-making.

Prior to the election, there had been a concern that the absence of UNO poll watchers and UNO Second Members of the Electoral Tribunals might call into

question the legitimacy of the election. Council delegates observed the presence of UNO poll-watchers at 96.5 percent, other opposition pollwatchers at 55 percent and FSLN pollwatchers at 100 percent of the 205 JRVs visited. No problems were identified attributable to the absence of opposition pollwatchers. These results were similar to the observations of the UN mission, which observed UNO pollwatchers at 97 percent of the sites and other opposition poll-watchers at 51 percent of the JRV's visited.

The President of the local tribunal held a significant amount of authority, for example, to decide if electoral police should be present inside the voting site and whether or not the police should be armed. This was particularly significant in conflict zones. Unarmed electoral police were observed by the Council, the UN, and the OAS at nearly every polling site. Armed police were observed by Council delegates at polling sites in Regions V (Chontales) and IX (San Carlos).

Upon entering the polling place, the voter presented a voter registration card, which was checked against a registration catalog. After the registration card was verified, the voter was given three ballots and instructed to mark the ballots in private behind a cardboard booth and to deposit each in a separate box marked for a) President and Vice President, b) Legislative Assembly, and c) municipal candidates (or Regional Autonomous Councils in Regions VII and VIII). The voter's thumb was then dipped in solvent to clean it and then into indelible ink. The voter's registration card was marked to indicate completion of voting.

In large part, the process moved smoothly with the exception of delays in the opening of many JRVs. Election officials began setting up at 6 a.m., and polls were supposed to open at 7 a.m. However, the meticulous approach with which the election officials counted the materials and organized the polling places delayed the opening of many JRVs. Voters grew restless as long lines formed, and the Council's observers in Granada heard some voters express fears of manipulation of the process. This concern diminished when voters began to file into the polling places to vote. Once inside, voting took an average of less than two minutes per voter at JRVs observed in Managua, and voting proceeded with few complaints at the JRVs observed. Revisits to sites where lines had been particularly long in the morning confirmed that voting proceeded normally once the JRV was operating, and no evidence was found that voters were excluded for lack of time.

At 11:30 a.m., a Venezuelan observer working with the OAS reported to Dr. Pastor that the indelible ink in which the voters' thumbs were dipped after voting could be washed off with chlorox. A Nicaraguan witness provided evidence, and a simple test with chlorox confirmed the problem. Given the concern for any possibility of multiple voting, President Carter conferred immediately with SEC President Fiallos, and together they consulted the OAS and UN observer mission chiefs and the campaign managers of both the FSLN and UNO. After a lengthy discussion, both campaign managers agreed that if no additional problems that might indicate multiple voting were witnessed by the pollwatchers or observers during the course of the vote count, each would respect the outcome of the election.

Counting Procedure

The ballots were counted in each of three stages: (1) a count of the ballots on the local level at the JRV; (2) a scrutiny of the tally sheets (actas) on a regional level; and (3) a recount of the ballots at the regional level. Preliminary reports of the election results were based on telexed reports of the local count, but would have to be confirmed by the additional second and third steps at the regional level before official results could be announced. Ballots were counted by local election officials at each polling place after the polls closed at 6 p.m. and after the last person in line had voted.

Council delegates were present at the closing of a selected sample of 16 JRVs in all nine regions and observed the counting procedures there. The count from the local polling places was recorded on the "Acta de Escrutinio" (tally sheet) that was signed by the local election officials and the pollwatchers. Copies of those tally sheets were provided to the pollwatchers and to the UN and the OAS.

The ballots and actas were then placed in sealed bags to be transferred to a regional electoral headquarters where the tally sheets would be reviewed and the ballots would be recounted. A separate telex form was filled out at each polling site with the provisional tally, delivered to municipal telex centers and then telexed directly to the national computer center at the Centro César Augusto Silva (CAS) in Managua, or delivered by car from the municipalities of Managua. The preliminary returns announced by the SEC on election night and the following morning were based on the telexed results received from the municipalities, and the telegram forms delivered directly from polling places in Managua. At the regional level, the actas had to be collected, and the totals reported by regional officials to the SEC in Managua to confirm the original telexed reports. Vote disputes would be reviewed by the regional officials at this stage. Finally, regional election officials recounted all of the ballots received from the local polling sites to provide the basis for the final official results to be announced by the SEC in the first week of March.

The Observers' Independent Vote Counts

The international observers of the OAS, UN and The Carter Center monitored each step of the vote count process. Both the OAS and the UN carried out independent comprehensive tabulations and "quick counts" or projections of the presidential elections; the quick counts were based on samples of 8-10 percent of the vote. Both the government of Nicaragua and UNO also did quick counts and supported the observers' parallel count because each believed it would coincide with their own.

Observers from the OAS mission were assigned polling sites at which they were to observe the entire count and collect their designated copy of the acta (tally sheet) along with a copy for the UN. OAS observers also monitored the telex locations in the municipalities. In many cases, OAS observers accompanied the transfer of ballots to the municipality and to the regional council.

The UN assigned its observers to specific polling sites to observe the presidential count, record the figures on a specific form, and then do the same at a second site. In this way, the UN was able to obtain more rapid results for their quick count, but had to sacrifice the extensiveness of the observation of the vote counts, the telexing process and the personal collection of the actas that were

emphasized by the OAS. The methods of the two organizations complemented each other and provided for a comprehensive monitoring and verification of the entire process.

The Council delegation actively participated in the independent count of the OAS, recording presidential counts at assigned polling places and delivering those results to the regional OAS headquarters for tabulation. Secretary-General Baena Soares and UN Special Representative Richardson had previously agreed to provide the results of their projections to President Carter as soon as they were available. Their projections proved to be highly accurate as subsequently confirmed by results reported by the SEC.

There was a consensus among the Council's observers that the voting and counting procedures were technically correct and that the results accurately reflected the choices of a record number of voters.

Early Election Returns

After observing vote counts at several polling sites, President and Mrs. Carter and Dr. Pastor visited the UN observer mission at 10:00 p.m. and were informed that the first projections based on slightly more than one-third of the sample vote gave UNO about 56 percent and the FSLN 40 percent. They then went to the national vote count center at the CAS where SEC President Mariano Fiallos reported that less than 5 percent of the vote had been received, and that was not sufficient to release the results. The early returns, he reported, indicated that UNO had a slight lead.

The SEC had previously agreed to announce the first results that arrived and then to announce returns only after 15 percent of the votes had been tabulated. Regular reporting would follow as more returns were received. The SEC had expected to begin announcing returns as early as 8:00 p.m. on election night, but by 10 p.m., very few results-only 4 Juntas-were reported.

By 11:30 p.m., no further results had been announced. At that time, President Ortega called and requested that President Carter, Mr. Richardson and Secretary-General Baena Soares and their senior aides, Pastor, Riza, and Gonzalez meet with him, Vice-President Sergio Ramirez, Foreign Minister Miguel D'Escoto, campaign manager Bayardo Arce, and their lawyer Paul Reichler. The meeting took place at the FSLN headquarters from 12:20-1:10 a.m.

The FSLN leaders acknowledged that the trends favored UNO, but believed that they could still win. President Carter and Elliot Richardson indicated that their numbers were very accurate and stable, showing a wide and consistent lead in favor of UNO. President Ortega asked for advice on how to handle the situation; he was fearful that with UNO and FSLN militants in the streets already, a premature release of results or declaration of victory by UNO could lead to dangerous clashes and terrible violence. It was agreed that the SEC should announce preliminary results, even if 15 percent of the returns had not been received. President Ortega asked whether Mrs. Chamorro's announcement could follow and note the SEC's results and whether it might be possible for her to urge her supporters to be calm and to wait until more results were released. President Carter urged President Ortega to make a statement before the morning news programs and to take credit for the democratic election and the achievements of

the revolution, while also acknowledging that he was losing and reaffirming his respect for the results. President Ortega asked the three leaders to remain in Nicaragua and serve as guarantors of the transition process just as they had done during the campaign and the election.

The three observer teams then went to see Mrs. Chamorro, who said she wanted a calm and deliberate approach to the results and agreed with the main points outlined by President Ortega. Mrs. Chamorro also asked the three leaders to remain in Nicaragua and work with them to ensure that the transition would be orderly and smooth. All three agreed to help in appropriate ways.

The group then informed President Ortega and returned to the national vote counting center. At about 1:45 a.m., the SEC released about 5 percent of the results, insisting that "technical difficulties" prevented a fuller counting at that time. In the next hour, however, they released 30 percent of the votes, and UNO was leading with 54 percent, to 42 percent for the FSLN.

At 3:15 a.m., President Carter and Gov. Evans phoned Secretary of State James A. Baker. They informed Secretary Baker that UNO had won a large victory and briefed him on the evening's meetings. They said that they expected both sides to work for a peaceful and orderly transition, and they urged the Secretary and President Bush to make a positive and generous statement addressed to both sides and to follow that with constructive actions.

Mrs. Chamorro addressed the nation at 4:30 a.m., proclaiming that the trend of the votes favored UNO and she was certain the tendency was "irreversible." She urged her supporters "to be calm and abstain from displaying any signs of victory" while the SEC continued to count the results. She also promised that UNO would honor its commitment to "achieve national reconciliation [because] here, we have neither victors nor vanquished."

At 6 a.m., the SEC announced that it had completed a count of 50 percent of the votes, and that UNO led with 54.3 percent of the vote to the FSLN's 41 percent. Moments later, President Ortega addressed the nation and acknowledged "a marked tendency" in favor of UNO. He affirmed clearly that he would "recognize and respect the popular mandate coming from the votes of these elections." He congratulated his supporters for "this historical moment guaranteeing a clean, pure electoral process" and for their achievements and victory over Somoza and the contras (See appendix 24).

By 10:30 a.m. on Monday, February 26th, with 70 percent of the returns, UNO led with 55.2 percent of the vote compared to 40.9 percent for the FSLN.

The same day, President Bush publicly congratulated Mrs. Chamorro on her victory, President Ortega on his conduct of the elections, and Jimmy Carter and Dan Evans, the OAS, and the UN for their leading role in observing the elections. President Bush further asserted that there was no reason for any further military activity (See appendix 24).

IV. Final Election Results

Nicaraguan voters turned out en masse to choose new leaders in the presidential, legislative, municipal, and autonomous regional council races of February 25, 1990. With 1,510,838 voters (86.2 percent of those registered), the turn-out rate was higher than the 1984 elections when 1,170,142 people or 75.4

percent of registered voters participated. Eighty-nine percent of an estimated population of 1.9 million eligible voters had registered in October, representing an impressive total participation rate of 76.7 percent. Of the total votes cast, 5.97 percent were null votes (mismarked or blank votes), giving a total of 1,420,544 valid votes.

In the presidential elections, the ticket of the National Opposition Union (UNO)-Violeta Barrios de Chamorro and Virgilio Godoy, won with 54.7 percent of the votes, followed by the governing FSLN ticket-Daniel Ortega and Sergio Ramirez, with 40.8 percent of the votes. Third place went to the Revolutionary Unity Movement (MUR) with 1.1 percent.

In legislative elections, UNO won an absolute majority with 51 of 92 total seats, while the FSLN won 39 seats, a Yatama candidate running on the ticket of the Social Christian Party (PSC) won one seat, and the MUR won one seat (See appendix 25 for the list of National Assembly members). Although the legislature is constitutionally composed of 90 seats, presidential candidates winning the equivalent of the average votes needed to elect a legislative member (12,960 votes in the 1990 elections) have the right to take a seat in the legislature. In the 1990 elections, only the FSLN and the MUR met this requirement (See Table II below).

UNO also swept the municipal elections, gaining control of 102 out of 131 total municipal councils. The FSLN won the majority of the remaining 29 municipal councils.

Regions VII and VIII of the Atlantic Coast voted for regional autonomous councils as a part of the new autonomy rules, rather than municipal councils. In Region VII, Yatama won 22 seats, the FSLN won 21 seats, and the UNO 2 seats. In Region VIII, UNO won 23 seats, the FSLN 19 seats, and Yatama-Mojume 3 seats.

Analysis of the Vote

The 14 point margin of victory gives UNO a mandate for change. Nevertheless, the FSLN remains the largest single party with just over 40 percent of the vote. The UNO alliance holds a simple majority in the Assembly with 51 seats, but failed to gain the 60 percent (55 seats) of the seats needed to propose amendments to the constitution, much less the 66 percent needed for fundamental constitutional changes. While Mrs. Chamorro will be able to gain legislative approval of her programs if the UNO alliance stays together and votes as a bloc, any constitutional change will require some FSLN support, and may give rise to coalition-building and new blocs forming within the National Assembly.

Table II. Presidential Vote Results by Party

Total # JRV's	4,392	
Total # Registered Voters	1,752,088	
Total # JRV's reported	4,383	
Total # Voters 2/25/90	1,510,838	
Total # Invalid Votes	90,249	(5.9%)
Total # Valid Votes	1,420,544	(94.1%)
UNO	777,552	(54.73%)
PSDC	5,798	(0.4%)
PLIUN	3,151	(0.22%)
PRT	8,590	(0.6%)
FSLN	579,886	(40.8%)
MAP-ML	8,115	(0.6%)
PSC	11,136	(0.8%)
PUCA	5,066	(0.35%)
PCDN	4,500	(0.3%)
MUR	16,751	(1.2%)

Source: Supreme Electoral Council

Of the ten parties/alliances that participated in the election, only two gained significant support: together, the FSLN and UNO captured nearly 96 percent of the presidential votes and 90 of 92 seats in the Assembly. Although these results reflect a polarization of the electorate between UNO and the FSLN, Nicaragua does not, of course, have a two-party system. The UNO alliance of 14 parties reflects a range of ideological tendencies from the Socialist and Communist to Social Democratic and Social Christian to small factions that have broken from the traditional Conservative and Liberal parties (See Table III). During the transitional period, two blocs appeared to be forming within UNO—one centered around Vice President Virgilio Godoy and the PLI, and the other around President Violeta Chamorro and her closest advisors. The blocs became clearest when UNO voted on its leadership slate for the National Assembly, with the Godoy faction backing a ticket led by Miriam Arguello (APC) and the other faction backing Alfredo César (PSD).

Table III. Distribution of UNO Seats in the National Assembly

Table III. Distribution of UNO Seats in the National Assembly

<u>Party Seats</u>	
Independent Liberal Party (PLI)	5
Constitutionalist Liberal Party (PLC)	4
Neo-Liberal Party (PALI)	3
National Conservative Party (PNC)	5
Conservative Popular Alliance (APC)	5
National Conservative Alliance (ANC)	2
Social Democratic Party (PSD)	6
Nicaraguan Democratic Movement (MDN)	3
Popular Social Christian Party (PPSC)	2
National Democratic Confidence Party (PDC)	4
National Action Party (PAN)	3
Nicaraguan Socialist Party (PSN)	3
Nicaraguan Communist Party (PCdeN)	3
Central American Integration Party (PIAC)	3
TOTAL	51

Source: UNO

This election represents the first time that Nicaraguans have chosen their leaders at the local level. UNO received a majority in an overwhelming number of municipalities, and this gives it significant control over decision-making and the provision of services at the local level. UNO's success in maintaining that control will depend on the degree of cohesion it retains over the next six years.

Both the presidential and legislative votes followed similar patterns with regard to the proportion of votes going to the FSLN and the UNO in each region. UNO won substantial victories in Regions II, III and IV and by large margins in Regions V, VI, and VIII. There was a very close vote in Region I, and in VII, UNO won the Presidential vote. The FSLN won handily in Region IX (See Table IV next page). Region V (Boaco/Chontales), a ranching area with a high degree of conflict and contra activity, was expected to heavily favor the opposition. UNO won 70.5 percent of the presidential votes, four-fifths of the legislative seats, and a majority in all of the municipal councils. Region VI (Matagalpa), the largest coffee producing region in the country and bordering on Honduras, has also experienced a large number of military-contra clashes and has produced many contra recruits in the past decade. UNO won in this region with 57.8 percent of the presidential votes, nearly two-thirds of the legislative seats, and a majority in 18 of 21 municipal councils.

In Region III (Managua), UNO won 53.4 percent of the presidential votes and more than half of the legislative seats, and controls 5 of 7 municipalities. With one quarter of total registered voters, the Managua region represents the largest bloc of voters in the country.

Region IV (Granada), the third largest region with 17 percent of total registered voters, experienced a high degree of political conflict during the campaign. An area of fierce fighting during the 1979 revolution, the region includes the strongly opposition Granada-historically the seat of the Conservative party and home to many of the Chamorro family, Masaya-the arts and crafts capital, Nandaime, and Masatepe-site of the worst campaign violence. UNO won in this region with 52.7 percent of the presidential vote, eight of 14 legislative seats, and control of 24 of 31 municipalities, including the largest cities of Granada and Masaya.

Table IV. Presidential, Legislative, Municipal, and Autonomy Council Results by Region

Region	President UNO FSLN # of votes (%)		Legislature UNO FSLN Other # of seats (% of voters)			Municipal UNO FSLN # of councils w/majority		
	I. Esteli	66,661 (48.0%)	66,960 (48.2%)	4 (47.7%)	5 (48.3%)	0 (4.4%)	18	8
II. Leon	126,386 (51.8%)	105,176 (43.1%)	8 (52.9%)	7 (44.3%)	0 (4.3%)	17	6	
III. Managua	209,572 (53.4%)	168,071 (42.9%)	14 (54.4%)	11 (43.3%)	0 (4.4%)	5	2	
IV. Granada	135,117 (52.7%)	110,090 (42.9%)	8 (52.2%)	6 (43.3%)	0 (3.5%)	24	7	
V. Boaco	97,911 (70.5%)	35,081 (25.2%)	8 (70.5%)	2 (25.2%)	0 (4.5%)	19	0	
VI. Matagalpa	105,020 (57.8%)	65,499 (36.0%)	7 (57.6%)	4 (36.1%)	0 (6.1%)	18	3	
IX. San Carlos	4,637 (39.0%)	6,709 (56.4%)	0 (39.3%)	1 (58.0%)	0 (2.8%)	1	3	
						<u>Autonomous Council</u>		
						UNO	FSLN	Yatama
						# of seats		
VII. N. Atlantic	19,253 (48.1%)	15,044 (37.6%)	1 (24.8%)	1 (37.8%)	1 (33.0%)	2	21	22
VIII. S. Atlantic	13,040 (60.7%)	7,256 (34.1%)	1 (58.7%)	1 (34.3%)	0 (6.9%)	23	19	3

Source: Supreme Electoral Council

Region I (Esteli) has been traditionally supportive of the FSLN and is one of only two regions in which the FSLN won, though by only .2 percent of the presidential votes and with five of nine legislative seats. The FSLN also retained control of the capital city of Esteli. UNO, on the other hand, won control of 18 of 26 municipal councils in the region.

Region II (Leon) is the second largest region in the country, with 17 percent of total registered voters, and includes the city of Leon with the national university and historically the seat of the Liberal party, as well as the cotton producing center of the country. UNO won by 8 percent of the presidential vote, eight of 15 legislative seats, and control of 17 of 23 municipalities, though the FSLN retained control of the capital city of Leon.

Region IX (San Carlos), bordering on Costa Rica, is the least populated and most isolated region of the country. The FSLN won 56.4 percent of the presidential vote, the only legislative seat, and three of four municipalities.

The Atlantic Coast voted for regional autonomous councils, in addition to the presidency and national assembly. Municipal elections will be scheduled later. With large numbers of Miskito Indians in Region VII (Puerto Cabezas) and blacks in Region VIII (Bluefields), the Atlantic Coast represents an area that is quite different ethnically and linguistically from the rest of the country. Traditionally isolated from the Spanish Pacific Coast, the Atlantic Coast has long opposed Managua's rule.

For the 1990 elections, Miskito leaders registered a popular movement-Yatama-that was eligible to run candidates for the regional autonomy councils. However, only officially recognized political parties were allowed to run candidates for the National Assembly, and so early in the electoral process, the Yatama leadership negotiated with the Social Christian Party of Erick Ramirez (PSC) to run candidates under the PSC banner. Just before the elections, the Yatama leadership negotiated a second understanding with UNO in which Yatama gave its support to the UNO presidential ticket in exchange for UNO's recognition of the right of autonomy for the Atlantic Coast.

The results in Region VII were UNO with 48.1 percent, FSLN with 37.6 percent, and the PSC with 8.4 percent of the presidential vote; FSLN, UNO, and PSC each winning one legislative seat; and Yatama winning 22 of the regional autonomy council seats, compared to 21 seats for the FSLN and two seats for UNO. Thus, if UNO and Yatama form an expected alliance, they will have a narrow majority in the regional autonomy council.

In Region VIII, UNO swept the presidential race with 60.7 percent compared to 34.1 percent for the FSLN, whereas both the UNO and FSLN won one legislative seat. In the regional autonomy council, UNO won a majority with 23 seats, while the FSLN won 19 seats and the Yatama-Mojume alliance only 3 seats.

Although definitive conclusions about voting motivations are difficult to make in the absence of detailed and reliable survey data, some preliminary conclusions may be drawn. First, the strong UNO vote in the regions with heaviest contra activity indicate that the contras did not prove to be a liability for UNO in those regions, as some had expected. The fact that some UNO leaders condemned violence by the contras and urged their rapid demobilization, suggests that none of the parties considered the contras an asset.

Second, the results showed strong UNO support in some of the polling sites with a heavy military vote, indicating significant dissatisfaction within some segments of the military. Third, the UNO victory in Managua may reflect discontent with the governing FSLN even among public employees, heavily concentrated in Managua. Beyond these preliminary conclusions, one could point to several promises made by UNO Presidential candidate Violeta de Chamorro that appeared to have been very popular: to end military conscription; to reduce militarization and end the war; to have good relations with the United States; and to restore the economy by reducing state intervention and controls.

V. The Transition

Throughout the pre-election period, President Carter and other members of the Council encouraged leaders of both the FSLN and UNO to begin to contemplate arrangements to promote national reconciliation after the election. Council

members were proposing changes in attitudes rather than institutional changes or a coalition government. But in the heat of the campaign, with suspicions high, these ideas did not bear fruit. It was gratifying therefore that within hours of the closing of the polls, both sides had begun to shape a new conciliatory model for politics in Nicaragua. Both Daniel Ortega and Violeta de Chamorro asked the three principal observer missions to remain and smooth the transition, and all accepted.

In the early morning of February 26th, President Carter met with Antonio Lacayo, who was subsequently named by Mrs. Chamorro as the leader of her Transition Team, and with Alfredo César, who had been elected an UNO member of the National Assembly, to begin discussions about the transition. (César made clear that as a member of the Assembly, he could not be a member of the Executive Branch's Transition Team.) President Ortega named Minister of Defense Humberto Ortega as his representative in transition talks and asked him to meet with President Carter and the two other observer missions. That Monday afternoon, Daniel Ortega invited the observers to accompany him to the home of Mrs. Chamorro to personally congratulate her on her victory.

After a series of meetings between the observer missions and the transition leaders, President Carter invited Humberto Ortega and Antonio Lacayo to meet together for the first time at The Carter Center office in Managua Tuesday afternoon at 5:00 p.m. There, both sides first agreed to have their teams meet regularly to discuss the full range of issues affecting the transition.

President Carter summarized the three major issues that had been raised by both sides in his private talks: a) demobilization of the Resistance (contras); b) integrity of the armed forces; and c) land reform and property rights. Both sides agreed that the President and President-elect would make public declarations to support the Tela accords and call for an immediate demobilization of the contras; that President Ortega would announce a ceasefire and Mrs. Chamorro would endorse it; that the transfer of power on April 25 would be complete, including the authority of the new President to name her own cabinet; that the integrity of the armed forces would be respected; and that the agrarian reform would not be repealed, but that disputes over other complex property issues would be judged within the law or by a negotiated consensus.

Secretary-General Baena Soares and Elliot Richardson joined the group at 6:30 p.m. to witness the understanding and the inauguration of the transition talks and to pledge the continued presence and support of the observer missions of the OAS and UN during the interim period, February 25 - April 25, 1990.

On February 28, President Carter and Dr. Pastor left Nicaragua and flew to Washington, D.C. to meet with Secretary of State James Baker III, National Security Advisor Brent Scowcroft, Deputy Secretary of State Lawrence Eagleberger, and Assistant Secretary of State Bernard Aronson. They discussed the elections, the negotiations on the transition, and the need for the United States to support the call by President Ortega and Mrs. Chamorro for rapid demobilization of the contras and aid and economic support for the new government. In response to questions raised by the press conference after the meeting, President Carter reiterated the commitment made by Daniel and

Humberto Ortega to transfer power, and the willingness of UNO and FSLN to work together to achieve a peaceful and rapid demobilization of the contras. Several days later, the Department of State announced that it was "convinced that immediate steps should be taken to encourage demobilization and repatriation of the Resistance Forces" and that it was willing to assist in this process by supporting the UN-OAS International Commission for Support and Verification (CIAV) (See appendix 26 for Carter's comments and State's announcement).

Contra Demobilization

Daniel Ortega and Violeta Chamorro each issued statements on February 28 calling for the immediate demobilization of the Nicaraguan Resistance; President Ortega also announced a ceasefire, and Mrs. Chamorro supported that decision. The U.S. Administration expressed its agreement with the two parties' call for demobilization.

President-elect Chamorro then sent representatives to begin discussions with the Nicaraguan Resistance and on March 23 both sides signed the Toncontin agreement in which the Resistance agreed to begin to demobilize and disarm its troops in Honduras no later than April 20, to be monitored by CIAV, ONUCA and Cardinal Obando y Bravo. On April 18, the international organizations received and destroyed the weapons of about 500 troops in Yamales, Honduras. Most of the troops (between 15,000 and 20,000) had already moved into Nicaragua with their arms.

On April 18, three accords were signed in Managua:

1. An agreement between the Nicaraguan Resistance and the Government of Nicaragua to begin a cease-fire on April 19, to be verified by ONUCA and Cardinal Obando; the withdrawal of Sandinista troops from five designated security zones; and the entry of Nicaraguan Resistance troops into the designated security zones beginning April 19 to begin the process of demobilization.
2. An agreement between the Nicaraguan Resistance and the representatives of the presidentelect to begin the voluntary disarmament of Resistance troops inside Nicaragua on April 25 and to complete full demobilization by June 10, under the auspices of ONUCA and CIAV.
3. An agreement between the Nicaraguan Government and the Yatama Resistance fighters to begin a cease-fire on April 20 to be verified by ONUCA and Cardinal Obando; the withdrawal of Sandinista troops from the two designated security zones on the Atlantic Coast by April 23; and the entry of Yatama troops beginning April 19 into the designated security zones to begin the process of demobilization under the auspices of ONUCA and CIAV. Each of the agreements was witnessed by Cardinal Obando y Bravo.

Council delegation member Governor Mike O'Callaghan accompanied the leaders of the Yatama Resistance fighters from Honduras to Managua, at their request, and observed the negotiations leading to the above agreements.

Governor O'Callaghan ensured that the Yatama representatives were included in the negotiating process and that they were able to reach a separate signed accord detailing the demobilization of their troops and the designated security zones.

Protocol for the Transfer of Power

On March 27, transition leaders Humberto Ortega and Antonio Lacayo signed a Protocol of Procedure for the Transfer of Executive Power which reaffirmed the points agreed to in the initial meeting hosted by President Carter on February 27 (See appendix 27). The Protocol also called for depoliticization of the armed forces, employment for public servants, and transition commissions to facilitate the transfer of the Ministries to the new government.

Legislation

During the interim period, the Sandinista-dominated National Assembly passed a series of laws; some were negotiated and accepted by UNO, others were not. The most important included a law granting a general amnesty to all Nicaraguans (including contras and military troops) who committed crimes against the public order since July 19, 1979; a law of immunity for the highest officials of the government; repeal of the media law which had given the government control of television; housing laws, which granted legal rights to those who occupied government houses or other houses for at least one year prior to the law's passage; and a law providing a compensation fund for the previous owners of some of these houses. Though UNO leaders accepted some of these laws, they had not negotiated them, and many in UNO wanted to change some of them when they took power.

VI. Inauguration and the Transfer of Power

Violeta de Chamorro was inaugurated president of Nicaragua at the National Stadium in Managua on April 25, 1990. The Council observer delegation was represented by George Price, who was attending in his capacity as Prime Minister of Belize and as Vice Chairman of the Council, Bruce Babbitt, Harriet Babbitt, Dr. Robert Pastor, Dr. Jennie Lincoln, and Dr. Jennifer McCoy. Former President Carter sent letters to both the outgoing and the incoming Presidents (See appendix 28).

After receiving the presidential sash from outgoing President Daniel Ortega, Mrs. Chamorro gave her inaugural speech and called for national reconciliation and an end to the war. She named herself as Minister of Defense, ended the military draft, and called on General Humberto Ortega to remain in his position as Chief of the Armed Forces for an unspecified period of time to draft a plan to reduce the size of the military, to oversee the demobilization of the contras, and to recover the arms that had been distributed to civilians after the elections (See appendix 29 for excerpts from the address).

President Chamorro's decision to retain General Ortega as head of the army was very controversial among her supporters. Two of her Cabinet ministers (Jaime Cuadra and Gilberto Cuadra) resigned because of this decision. The UNO alliance had already been strained by the struggle for the leadership of the National Assembly. A slate headed by Dr. Miriam Arguello had been approved by the UNO Political Council on April 21. Immediately following the inauguration of

the National Assembly on April 24, however, the FSLN suggested the need for a more representative slate. After lengthy negotiations, the Assembly voted and elected Miriam Arguello as President and four UNO and two FSLN members to fill the remaining leadership posts.

The divisions within UNO, the struggles between UNO and the FSLN, the economic crisis, and the immediate problems stemming from the transfer of power between such different political movements-these developments have caught the attention of the world community, but they should not obscure two more compelling facts. For the first time in the history of Nicaragua, power was transferred peacefully from an incumbent government to its rival as a result of an election that was judged by all Nicaraguans as free and fair. For the first time in the history of the world, a revolutionary government that had come to power as a result of a 20-year armed struggle voluntarily gave up the reins of power to its adversary. These two facts make the Nicaraguan election a unique event.

The role of international observers in the campaign, the election, and the transition was also unique. This was the first time in which a sovereign government invited the UN, OAS, and a host of private groups to monitor the electoral process. These groups were not just observers; with the confidence of the major parties, they deliberately tried to mediate between them and solve problems that could have impeded a free election. The key observers obtained the trust of all the participants, opened the political process, and provided the guarantees needed to ensure the opposition's participation and the government's fairness. The observers tried to give all sides a stake in a democratic process, and for the first time in Nicaraguan history, every political party that began the campaign ended it and respected the results.

In the end, however, the people of Nicaragua all triumphed. Though the National Stadium was divided in half between Sandinista and UNO supporters, all agreed with Daniel Ortega that the Nicaraguan people had voted for peace. And all agreed with President Violeta de Chamorro that "freedom also means respect for the rights of others [and] for the law."

Nicaragua has a long way to travel before it consolidates democracy, but President Chamorro defined the principal task-"to have a spirit of reconciliation present in all of our actions"-correctly. And she ended her address with a new and inspiring message for her people: "I am your

Appendices

Appendix 1: Background on Council of Freely-Elected Heads of Government

May 1990

THE COUNCIL OF FREELY-ELECTED HEADS OF GOVERNMENT

The Council of Freely-Elected Heads of Government is an informal group of eighteen former and current heads of government from throughout the Western Hemisphere. Established in November 1986 at a meeting chaired by former Presidents Carter and Ford on "Reinforcing Democracy in the Americas" at the Carter Center of Emory University, the Council's goal is to reinforce democracy and promote the peaceful resolution of conflict. Members of the Council co-chaired a subsequent Consultation on the Hemispheric Agenda at the Carter

Center in March 1989 that brought together government and business leaders of Latin America with U.S. government officials, including Secretary of State James A. Baker.

Membership. The original members of the Council are Jimmy Carter, Gerald Ford, Raúl Alfonsín of Argentina, Errol Barrow of Barbados, Vinicio Cerezo of Guatemala, Nicolas Ardito Barletta of Panama, Fernando Belaunde of Peru, Rafael Caldera of Venezuela, Osvaldo Hurtado of Ecuador, Daniel Oduber of Costa Rica, George Price of Belize, and Pierre Trudeau of Canada.

Subsequently, Michael Manley of Jamaica, Carlos Andrés Pérez of Venezuela, Erskine Sandiford of Barbados, Oscar Arias Sanchez and Rodrigo Carazo of Costa Rica, Alfonso Lopez Michelsen of Colombia, and Edward Seaga of Jamaica have joined the Council. An Executive Committee of Jimmy Carter (Chairman), Rafael Caldera, Daniel Oduber, and George Price, was designated to explore a number of ideas and possible future activities. The headquarters of the Council is at the Carter Center's Latin American and Caribbean Program. Dr. Robert Pastor is Director of the program, and Dr. Jennie Lincoln is Associate Director.

Activities. In the spring of 1987, when the government of Argentine President Raúl Alfonsín faced a challenge from the military, Council Chairman Jimmy Carter and several other members issued strong statements of support for the democratic government. In October 1987, Mr. Carter and George Price, Prime Minister of Belize and Vice-Chairman of the Council, traveled to Haiti to lend moral support to the democratic forces and to observe the voter registration process during the vital period leading up to elections on November 29. Mr. Price then returned to Haiti as the head of an international delegation to observe the November elections, tragically cancelled in the wake of bloodshed and violence. In 1988, Mr. Carter and Gerald Ford co-chaired the U.S. Committee to Support Free Elections in Chile, which was established to encourage the restoration of democracy in Chile and to support the work of the Chilean Movement for Free Elections.

In 1989, the Council undertook an election observation project in Panama. In March, an international delegation consisting of representatives of Council members Carlos Andrés Pérez, Daniel Oduber, and Jimmy Carter travelled to Panama to observe and evaluate the laws and procedures for the presidential, legislative and municipal elections scheduled for May 7. Former Presidents Carter and Ford then co-chaired a bipartisan and international delegation to observe the Panamanian election. When Noriega interrupted the vote count, Mr. Carter denounced his actions in a press conference. Subsequently, President Carter led the delegation to Washington to brief President George Bush, and he sent reports to leaders throughout the hemisphere, urging them to convene the OAS to use the moral and diplomatic pressure of that body to facilitate a transition toward democracy in Panama.

Appendix 2: President Carter's letter to the OAS on Panama

JIMMY CARTER

MAY 17, 1990

To the President of the XXI Meeting of the Consultation of Foreign Ministers of the Organization of American States

The meeting that you are chairing today is of the greatest significance to the inter-American system and to all democrats in the Americas. I am writing to you for two reasons and ask that you submit this letter and the accompanying material to all members in attendance in this special session of the O.A.S. First, I want to convey my conclusions and those of my delegation from having observed Panama's elections on May 7. Secondly, I have great hopes that the governments of the Americas will rise to the occasion and recognize that the case of democracy in Panama is a test of the entire hemisphere's resolve in creating a collective mechanism for reinforcing democracy everywhere in the hemisphere.

Representing the Council of Freely-Elected Heads of Government, I went to Panama with President Gerald Ford and Prime Minister George Price of Belize. We are associated with a group representing the National Democratic and Republican Institutes, including experts representing eight nations who had previously monitored elections in the Philippines, Pakistan, Paraguay, and the plebiscite in Chile.

Throughout election day on May 7, we were all given free access to voting places (mesas) throughout the country. This was an exciting, even emotional experience. Despite widespread reports that General Noriega would ultimately commit fraud if necessary to prevail, the Panamanian people voted in huge numbers to select their own leaders. In addition to more than 800,000 voters, 50,000 workers served together in the mesas to conduct the election and to count and tabulate the votes legally, methodically, and accurately.

In what was a referendum on the military dictatorship of General Noriega, the people voted over-whelmingly for change, giving a substantial margin of victory for Guillermo Endara, the opposition candidate for President, his Vice Presidents, and their associated candidates for the national legislature and municipal offices. Collectively, we witnessed these results in many mesas. At the same time, the laity of the Catholic church had observers on hand to report the final vote tabulations in scientifically representative mesas. Our experts judged the church assessment to be excellent

and scientifically accurate. Opposition observers had a similar but independent system.

At 3 p.m., on May 8, the Church released the early returns of its vote count, and it showed a three to one margin of victory for the opposition. Subsequently, the Church received vote tallies from more of the mesas (a total of 164), and using highly sophisticated statistical methods, showed the opposition winning the election with 73.3 percent of the vote in the presidential election to 25.8 percent for the pro-government coalition, with a margin of error of plus or minus 10 percent.

The opposition parallel count operation sought to obtain the results from all of the voting mesas rather than just a scientifically-selected sample. By May 15, they had received results from 3,230 mesas (75.9 percent of the total), which represented 703,579 voters (55.5 percent of the total). Their vote count is consistent with the Church's quick count. According to the opposition count, ADO Civilista won 470,775 votes (or 66.9 percent of the total) while COLINA (the Noriega candidates) won 184,128 votes (or 26.2 percent of the total). These are the most up-to-date statistics. (A short memorandum explaining the two vote counts was prepared by some of the experts that work for our delegation. It is attached to this letter, although some of its statistics on the opposition count are not as recent as those cited in my letter. I also attach some information provided by the Panamanian Church for your reference.)

In brief, there is no doubt that the opposition won the election by a significant and large margin, and that when General Noriega finally recognized this, he decided to destroy some of the official records (actas). In some locations, his officials simply absconded with the actas. In other places, armed gunmen took the actas at gun point. Few actas were delivered to the counting place in Panama on May 7, the night of the election, as was supposed to have been done. Throughout that night and during most of the next day, election officials did nothing to protect the process or the actas.

At about 3:00 p.m. on Monday May 8, the national board for vote counting began declaring the results. I arrived at the center just as the first three of the 40 regional vote summaries were announced. I personally examined the documents. They were obviously crude fabrications, with little effort having been made to conceal their counterfeit nature. Both these officials and the members of the Election Tribunal, with whom I met, denied any authority or

responsibility to do anything other than report the false tabulations they had received.

Subsequently I was denied entrance to the election center and even to the center where the news media were assembled. I and other members of our delegation made our findings known to the public through reporters who came to the lobby of our hotel. All Panamanian news broadcasts were forbidden until the following morning, May 9, when Noriega's candidate, Don Carlos Duque, was unofficially declared to be the winner.

In obvious attempts to intimidate the people, many citizens were arrested and others were shot in the streets. This included foreign news reporters. The official photographer of our delegation was detained for several hours. In retaliation against the church's persistent call for free elections, one of Noriega's soldiers in Concepcion arrested a Catholic priest who was on mass early on Sunday, election day. The priest was a paraplegic, who was driving his automobile. The soldier, riding in the back seat, shot and killed him in cold blood. The oppressive dictatorship of General Manuel Antonio Noriega cannot be condoned by leaders in our hemisphere who espouse democracy, freedom, and a respect for human rights.

It is imperative that strong voices be raised and that concerted action be taken by the Organization of American States to condemn the dictator and his oppression without adding further to the suffering of the Panamanian people.

I urge you to condemn General Noriega's electoral fraud and to recognize and declare your support for the opposition coalition led by Guillermo Endara to be the future leaders of Panama to take office on September 1. To the extent that the democratic leaders can join together in the O.A.S. to announce their acceptance of the true election victory by the opposition, then we might be able to prevent Noriega's betrayal of the Panamanian people.

It is especially important that democratically elected leaders from Latin America stay in the forefront of protecting democracy and human rights.

Sincerely,

Appendix 3: Letter from President Carter to President Ortega

JIMMY CARTER

June 30, 1989

To President Daniel Ortega Saavedra

Thank you for your invitation to participate in the International Symposium to commemorate the tenth anniversary of the Nicaraguan revolution. It is an appropriate time to assess your nation's accomplishments and problems and consider new ideas, and you have invited a distinguished group to assist in your evaluation. I deeply regret that I cannot attend.

I understand, however, that you have also invited Dr. Robert Pastor, the Director of the Carter Center's Latin American Program and the Executive Secretary of the Council of Freely-Elected Heads of Government, which I chair. I have asked Dr. Pastor to attend the Symposium and convey a personal message from me to you. Because of my interest in the Symposium and Nicaragua's future, I have also asked him to brief me on the event's discussions when he returns to Atlanta.

The elections that Nicaragua will hold in February 1990 are of the greatest importance, and I would welcome your views of them. They offer Nicaraguans the opportunity to express their legitimate human right of self-determination. It is my hope that free and fair elections can also end definitively the conflict and divisions within Nicaragua and lead to improved relations between your country and the United States. You can be assured that I will use my influence to ensure that the results of a free and fair election in Nicaragua will be respected by the United States regardless of who wins or loses.

I recall vividly and with gratitude the courtesy and generosity you and your colleagues extended to Rosalynn and me during our previous visit to Nicaragua in February 1986. We hope to be able to visit Nicaragua again in the future. I remain deeply interested in developments in Nicaragua and am committed to trying to improve the relationship between our two countries.

Sincerely,

Hon. Daniel Ortega Saavedra

Presidente de la Republica

Managua, Nicaragua

Appendix 4: Invitations to President Carter to observe Nicaraguan elections

Translation

Original In Spanish/signed

August 3, 1989

His Excellency

James Carter

Chairman

Council of Freely Elected Heads of State

Atlanta, Georgia

Dear President Carter:

On February 25, 1990, the Nicaraguan people will elect their President, Vice-President and representatives to the National Assembly, as well as municipal authorities and members to the Regional Councils in the Atlantic Coast Autonomous Regions.

These elections will be free, fair and democratic, as mandated by Nicaragua's Constitution, and by the Esquipulas II Accords of August 7, 1987 and the Joint Declaration of the five Central American Presidents of February 14, 1989.

In compliance with the Joint Declaration, Nicaragua has invited, as official international observers of the entire electoral process, the Secretaries General of the United Nations and the Organization of American States. Both have accepted our invitation and are already sending teams of observers for the entire electoral process.

On behalf of my Government, I would like to take this opportunity to invite you, as President of the Council of Freely Elected Heads of State, to serve as an official Invited Observer of the electoral process in Nicaragua. We would be honored to have you and your colleagues in the Council of Freely Elected Heads of State observe our electoral process from beginning to end.

Indeed, we encourage you to come to Nicaragua as many times as you can during the electoral process, to observe all aspects of the

process, and to meet with the members of the Supreme Electoral Council, the Political Parties and the Government. You will have unrestricted access to all aspects of the process.

I hope that you will accept this invitation and we will have the pleasure of welcoming you again to Nicaragua.

My best personal regards to you and Rosalynn.

Sincerely,

[signed]

Daniel Ortega Saavedra

President of Nicaragua

Translation

Original in Spanish/signed

Managua, 4 August 1989

Honorable

Jimmy Carter,

President of the Council of Freely-Elected Heads of Government

Dear Mr. President:

On behalf of the Supreme Electoral Council of the Republic of Nicaragua, I have the honor of inviting you and the other members of the Council over which you preside, to participate as official observers in the electoral process that is underway in Nicaragua and will culminate on the 25th of February 1990.

We hope that you and your esteemed colleagues and advisors will visit Nicaragua several times with the purpose of being present during the different phases of the electoral process, for which we offer our assistance and free access to all the electoral council's information.

Let me take this opportunity to send my warmest greetings.

[signed]

Mariano Fiallos Oyanguren

President

Supreme Electoral Council

Translation

Original in Spanish/signed

Managua, August 4, 1989

Mr. Jimmy Carter

Chairman of the Freely-Elected Heads of Government

Atlanta, Georgia

U.S.A.

Mr. Carter:

The National Opposition Union (UNO) invites you, as an international observer, to participate in the electoral process to take place the 25th of February 1990.

If you accept, we would like to know who will be the members of the delegation.

Please accept these gestures of our regards.

Sincerely,

[signed]

Dr. Gustavo Tablada Zelaya

Coordinator, International Relations Commission

National Opposition Union (UNO) of Nicaragua

JIMMY CARTER

August 8, 1989

To President Daniel Ortega Saavedra

Thank you for your letter of August 3rd. I was pleased to receive your invitation for me to lead a delegation under the auspices of the Council of Freely-Elected Heads of Government to observe Nicaragua's elections on February 25, 1990. I have also received letters from the Supreme Electoral Council and the National Opposition Union (U.N.O.). Together these invitations represent a consensus among Nicaraguans that the world has a legitimate role to play in observing the elections.

Your invitation to observe the electoral process from beginning to end with unrestricted access is a clear signal of the seriousness with which you view the elections. The political agreement that was the result of the dialogue is another very positive and sincere effort by your government and the opposition to ensure that the people of Nicaragua will have an historic opportunity to express their will in private ballots and heal the wounds of decades of division. I am honored that you have asked me to observe such an important event, and I gladly accept.

With my other colleagues of the Council, we will plan to assemble a senior international delegation of about thirty individuals. I will encourage the delegates to make at least one visit to Nicaragua before the election to meet with the Electoral Tribunal and the candidates. In addition, we will all plan to arrive before the election in February and remain afterwards. We hope that we can have a good staff that will remain in Nicaragua during the entire process. I am planning to be in close contact with the Secretaries-General of the Organization of American States and the United Nations in order to ensure that our efforts enhance each other's.

I will assure you that as Chair of the delegation, the group will not intervene or interfere in Nicaragua's internal affairs. We will all support the democratic process, but we will seek to be meticulously impartial with respect to the candidates and parties competing in the election.

Finally, let me say that I am prepared to commit myself to work to ensure that the results of a free and fair election in Nicaragua will be respected by the United States regardless of who wins or loses. I am looking forward to seeing you again soon and to work with you to try to improve the relationship between our two countries.

Sincerely,

Hon. Daniel Ortega Saavedra

Presidente de la Republica

Managua, Nicaragua

Appendix 5: The Political Accord of August, 1990

Translation
Original in Spanish

EXCERPTS FROM POLITICAL ACCORD

On *August 3 and 4, 1989* the President of the Republic of Nicaragua Daniel Ortega Saavedra, and representatives of legally constituted political parties gathered in the Olof Palme Convention Center in Managua and concluded a National Dialogue carried out in fulfillment of the agreements made by the Central American Presidents on February 14 in El Salvador.

The National Assembly directorate, the Supreme Court and the Supreme Electoral Council were present throughout the National Dialogue. Observers from the United Nations, the Organization of American States, the Center for Democracy and members of the honorable accredited diplomatic corps also attended.

As a result of the National Dialogue, widely covered by the national and international media, the President of the Republic and the representatives of the political parties hereby:

AGREE

- I. To affirm before the Nicaraguan people and international public opinion, the common will to contribute to the success of the peace efforts that will reach a decisive moment at the upcoming Central American Presidential Summit in Tela, Honduras.

In this context, the Government of Nicaragua and the political parties call upon the Central American Presidents to approve the plan for the demobilization and voluntary relocation or repatriation of the irregular forces located in Honduran territory, in keeping with the Costa del Sol Agreement and in the framework of the Esquipulas II agreements.

The Government of Nicaragua commits itself to promulgate a broad and unconditional amnesty law for those persons detained or being sought for having violated the Law for the Maintenance of Order and Public Security and related legislation, which would enter into effect upon completion of the Plan for the Demobilization and Voluntary Relocation or Repatriation.

- II. The political parties call upon the Governments with interests in the Central American region to abstain from covert activities in the Nicaraguan electoral process.

All material support for political parties and alliances that participate in the elections should be undertaken in accordance with Nicaraguan Law.

- III. The Government of Nicaragua and the political parties commit themselves to consolidate the necessary legal and political conditions for the development of a free and just electoral process, with equal guarantees for all participating parties.

The political parties pledge, therefore, to submit lists of citizens for the formation of the Ballot Receiving Boards as stipulated in the Electoral Law.

- IV. The President of the Republic
1. Will reschedule recruitment for the Patriotic Military Service so that no recruitment will take place in the period between September 1989 to February 1990.
 2. Will immediately introduce legislation in the National Assembly to reform the Public Media and Social Communication Law so that in matters pertaining to elections, the application of this law shall be governed directly by the Supreme Electoral Council.
 3. Will immediately introduce legislation in the National Assembly to rescind Decree 10-74 (Law for the Maintenance of Order and Public Security)...
 4. Will immediately introduce legislation in the National Assembly to amend the Law on Jurisdictional Duties of the Sandinista Police, rescinding the parts granting it jurisdiction.
 5. In compliance with ... Article 218 of the Electoral Law, thirty minutes of continuous air time will be allotted from Monday through Saturday for informational purposes to all participating parties or alliances on Channel 2 of the Sandinista Television System from August 25 through December 2, 1989. This period of free airspace will be programmed between 6:00 and 9:00 PM by the SEC in consultation with the political parties ...
 6. Will request the National Assembly to immediately initiate the debate and approval of the Civil Service Law.
 7. The Government of Nicaragua will immediately release prisoners sentenced for activities in violation of the Law on the Maintenance of Order and Public Safety that are in a poor state of health as certified by the Human Rights and Peace Commission of the National Assembly ...
 8. The Government of Nicaragua will review for release lists of prisoners submitted by political parties that subscribe to the present agreement in which they demonstrate that said prisoners are members of the corresponding political parties and are detained for political activities.
 9. The Government reaffirms the guarantees for different types of property, meaning they are not subject to confiscation, expropriation or interference on account of political factors.

- V. The President of the Republic and the political party signatories of this Accord agree that the President and Vice-President of the Republic to be elected by popular vote in the February 25, 1990 elections will assume office on April 25 of the same year, following the procedures stipulated in Article 149 of the Constitution.... 1
- VI. The political party signatories to this Accord, with the support of the President of the Republic, propose to the Supreme Electoral Council, the following:
1. To submit the catalogue with the lists of registered voters to each party or alliance participating in the electoral process no later than 60 days before the elections.
 2. To submit copies of the acts of opening and closing of the opening, founding and closing of the vote, vote counting and voting vouchers in each of the Ballot Receiving Boards to each of the poll-watchers of each political party or alliance.
 3. To prepare duplicates of the election catalogues, one of which is to stay in the Supreme Electoral Council and the other in the Regional Electoral Council, starting from the period of voter registration up until three months after the election.
 4. Once the vote tally has been concluded, that one or two of the political parties or alliances' poll-watchers in the Ballot Receiving Boards be allowed to travel with the sealed packages of election documents to assure their safety in order that these be recounted in the Regional Electoral Councils.
 5. That the SEC continue its efforts with foreign governments and international organizations to obtain technical and financial assistance to initiate a permanent identification system that will be completed before the 1996 elections.
 6. To maintain the guarantee that voting places will not be established within military installations and that military personnel register and exercise their right to vote in the nearest Ballot Receiving Board (JRV).
 7. To prohibit the use of public buildings for campaigning.
 8. To make an appeal to all written media not to reject the propaganda of any political party or alliance.
 9. That the allotted time in the communications media be distributed equally among parties and alliances.
 10. To effectively enforce the prohibition on the use of State property and goods for party campaign purposes.
 11. To guarantee the right to campaign wherever citizens with the right to vote may reside.
 12. To guarantee the right of poll-watchers to inspect the ballot box before the voting takes place.
 13. To submit demarcation of each of the Ballot Receiving Boards to the political parties or alliances no later than 10 days prior to the initiation of the voter registration.

14. To guarantee that public employees do not conduct political party activities during office hours. No public or private employer may obligate his employees to carry out political campaigning.
15. To establish September 29 as the registration date for candidates to the National Assembly.
16. To establish the rates for air time on the radio and television that shall remain in effect during the election campaign period.
17. To organize a national seminar of instructor training for the poll-watchers of the political parties.
18. That the Supreme Electoral Council extend the period for the presentation of pollwatchers from the political parties or alliances, and that these be freely designated by the political parties or alliances.
19. To guarantee freedom so that all parties or alliances may conduct opinion polls without any legal restrictions whatsoever with the sole exception being the full publication of the questions and technical details of the poll.
20. To guarantee compliance with Article 206 of the Electoral law regarding petroleum, lubricants and supplies for election propaganda.
21. To grant election campaign financing no later than 8 days after the registration of candidates for the Presidency.
22. To guarantee free access of official observers to the Ballot Receiving Boards, Regional Vote Count Centers and the National Vote Count Center as well as to election documents and activity of legally registered parties.
23. When voting, nail polish remover will be applied followed by indelible ink to stain the voter's finger.
24. When in a single Ballot Receiving Board more than 400 citizens register to vote, new voting booths for secret voting, sufficient identification lists, and ballot boxes will be provided so that the voting may finish in the foreseen time frame established in the Law.
25. That a secret vote be guaranteed, and that the vote count be done in the presence of Ballot Receiving Board members and their alternates, poll-watchers and observers.
26. To guarantee access to the Regional and National Vote Count Centers for Presidential and Vice-presidential candidates, and board members of political parties and alliances registered in the election process.
27. That electoral administrative personnel be appointed on a pluralist basis.
28. To ensure stipends and transportation costs for the poll-watchers of the parties in the Ballot Receiving Boards.
29. To carry out voter registration during the first four Sundays of October, 1989.

30. The Supreme Electoral Council will establish a Consultative Body made up of seven members chosen on a pluralist basis in accordance with Article 201 of the Electoral Law.

The Conservative Democratic Party registers its disagreement with the second paragraph of point V relating to the assuming of office of the elected representatives of the National Assembly.

Managua, August 4, 1989

Daniel Ortega Saavedra

President of the Republic of Nicaragua

LEGAL REPRESENTATIVES OF THE PARTIES

Sandinista National Liberation Front Conservative Popular Alliance Party

Social Christian Party Social Democratic Party

National Conservative Party Neo-Liberal Party (PALI)

National Action Party Nicaraguan Democratic Movement

Independent Liberal Party Liberal Constitutionalist Party

Communist Party of Nicaragua Liberal National Unity Party

Nicaraguan Socialist Party Central American Unionist Party

National Confidence Democratic Party Social Conservative Party

Popular Social Christian Party Conservative Democratic Party

**Appendix 6: Candidates for President and Vice President
NICARAGUAN ELECTIONS 1990**

Candidates for President and Vice-President

1. Sandinista National Liberation Front (FSLN)

President: Cmdte. Daniel Ortega Saavedra

Vice President: Dr. Sergio Ramirez Mercado

2. National Opposition Union (UNO)

President: Sra. Violeta Barrios de Chamorro

Vice President: Dr. Virgilio Godoy Reyes

3. Revolutionary Unity Movement Party (MUR)

President: Dr. Moises Hassan Morales

Vice President: Lic. Francisco Samper Blanco

4. Social Christian Party (PSC)

President: Lic. Erick Ramirez Benavente

- Vice President: Dra. Rina María Córdova de Taboada
5. Social Conservative Party (PSOC)
President: Dr. Fernando Agüero Rocha
Vice President: Sr. Manuel Estrada Velez
 6. Liberal Party of National Unity (PLIUN)
President: Dr. Rodolfo Robelo Herrera
Vice President: Dr. Lombardo Martínez Cabezas
 7. Nicaraguan Conservative Democratic Party (PCDN)
President: Dr. Eduardo Molina Palacios
Vice President: Sr. Hugo Torrez Cruz
 8. Central American Unionist Party (PUCA)
President: Lic. Blanca Rojas Echaverry
Vice President: Dr. Daniel Urcuyo Castrillo
 9. Revolutionary Workers Party (PRT)
President: Sr. Bonifacio Mártir Miranda Bengoechea
Vice President: Dr. Juan Carlos Leiton Valle
 10. Marxist-Leninist Popular Action Movement (MAP-ML)
President: Sr. Isidro Ignacio Téllez Toruño
Vice President: Lic. Carlos Domingo Cuadra Cuadra

Appendix 7: Political Parties in Nicaragua

POLITICAL PARTIES IN NICARAGUA-1989-1990

The following are the political parties that are participating in the 1990 Nicaraguan elections. There are 23 parties, of which 21 are legally recognized. The parties are grouped according to their historical origins—the four Liberal tendencies, the six Conservative tendencies, four Social Christian groups and others. Eleven legal parties, two unrecognized parties, and a part of the PPSC

make up the 14 elements of the National Opposition Union (UNO) coalition. Those parties are denoted with an asterisk (*).

LIBERALS

***Independent Liberal Party (PLI)** - Separated from the Liberal Party then controlled by Somoza in 1944 and in 1947 formed PLI.

***Constitutionalist Liberal Party (PLC)** - Formed in 1968 after split from Somoza's Liberal Party. Abstained from 1984 elections.

***Neo-Liberal Party - (PALI)** - Split from PLI in 1986. **National Union Liberal Party (PLIUN)** - Split from PLI in 1989.

National Union Liberal Party (PLIUN) - Split from PLI in 1989.

CONSERVATIVES

Democratic Conservative Party (PCD) - With Liberal Party, this party has the longest history. Known as PCD since 1979. Participated in the 1984 elections and won 14% of vote for President.

Social Conservative Party (PCS) - Received legal status in 1989.

***National Conservative Party (PNC)** - Split from PCD in 1984; received legal status on appeal in 1989.

***Social Democratic Party (PSD)** - Split from Conservatives in 1979. Abstained from the 1984 elections.

***Nicaraguan Democratic Movement (MDN)** - Formed in 1978

***Popular Alliance Conservative Party (PAPC)** - Split from the PCD in 1984.

SOCIAL CHRISTIANS

Nicaraguan Social Christian Party (PSC) - Founded in 1957. Abstained from the 1984 elections.

Popular Social Christian Party (PPSC) / *split in 1989: a part is now with UNO and part is with the PSC.

***National Democratic Confidence Party (PDC)** - split from PSC in 1986; received legal status on appeal in 1989.

***National Action Party (PAN)** - split from the PSC in 1985; received legal status on appeal in 1989.

PARTIES OF THE LEFT

Sandinista National Liberation Front (FSLN) - Founded in 1961. Won 67% of the vote for President in 1984.

Popular Action Movement - Marxist-Leninist (MAP-ML)

Revolutionary Workers' Party (PRT) - Founded in 1971; received legal status after 1984 elections.

Revolutionary Unity Movement (MUR) - Received legal status in 1989.

Presidential candidate Moises Hassan is former Sandinista leader.

Central American Unionist Party (PUCA) - Founded in 1944; received legal status after 1984 elections.

***Nicaraguan Socialist Party (PSN)** - Formed in 1944.

***Communist Party of Nicaragua (PC of N)** - Formed in 1970 in a split from the PSN.

PARTIES WITHOUT LEGAL STATUS

***National Conservative Alliance Party (PANC)**

***Central American Integrationist Party (PIAC)** - New split form PUCA; denied legal status on appeal in 1989.

Appendix 8: September Pre-Election Trip Report

Report on Pre-Election Trip to Nicaragua

Observer Delegation

Council of Freely-Elected Heads of Government

September 14-16, 1989

Honorable Jimmy Carter

Mrs. Rosalynn Carter

Honorable Raúl Alfonsín

Dr. Raúl Alconada

Dr. Robert Pastor

Dr. Jennie Lincoln

SUMMARY REPORT OF PRE-ELECTION VISIT TO NICARAGUA SEPTEMBER 16-18, 1989

I. Introduction

Following invitations to observe the Nicaragua electoral process from President Daniel Ortega, the National Opposition Union and the President of the Supreme Electoral Council, President Jimmy Carter traveled to Nicaragua with a delegation to initiate the Nicaraguan Elections Project that would be under-taken by the Council of Freely-Elected Heads of Government headquartered at The Carter Center of Emory University's Latin American and Caribbean Program. The purpose of the visit was to meet with government and non-government leaders in Managua and elsewhere to discuss the electoral climate and procedures underway in preparation for national elections in February 1990. The delegation also traveled to Puerto Cabezas on the Atlantic coast with the explicit purpose of discussing the participation of the Miskito Indians in the electoral process.

This trip provided the initial contact inside Nicaragua with the observer teams of the Organization of American States and the United Nations. Leaders of both organizations agreed to coordinate observer activities with the Council of Freely-Elected Heads of Government.

II. Activities and Discussions

The delegation arrived just prior to the deadline for formal declarations by candidates. However, as was evidenced in the discussions with the Supreme Electoral Council, much of the planning was underway for the February election in accordance with the Nicaraguan Electoral Code. Members of the Supreme Electoral Council outlined the electoral calendar and assured the delegation that they along with the UN and the OAS would have unrestricted access to all aspects of the electoral process including the voting and counting of the ballots, and would obtain copies of the certified final actas (vote tallies) for an independent tabulation of the vote. They also identified the need for resources to finance the election itself. Both the FSLN and the opposition accepted the need for external financing of political parties as long as the contributions were made openly and in accordance with the Nicaraguan Electoral Law.

Leaders of the opposition voiced concerns about the electoral climate and certain procedures that were in effect. These concerns included: a) the interpretation of the August 4 political accord that allowed conscription to military reserves, as opposed to the interpretation that all conscription should cease; b) unequal access to the media, in part due to the state monopoly of media resources; c) the concern for political prisoners being held in violation of their human rights; d) the unfair expropriation of property; and e) the application of a different set of conditions under which the Miskito Indians might return to participate in the electoral process.

President Carter encouraged the opposition to document their complaints about the election process and to submit them directly to the Supreme Electoral Council with appropriate copies to the observer groups of the U.N., O.A.S. and the Council of Freely-Elected Heads of Government.

The delegation traveled to Puerto Cabezas to meet with church leaders and Miskito Indian representatives to discuss the current electoral climate. In a meeting with Minister of the Interior Tomas Borge it was agreed that the conditions under which the Indian leaders might return to Nicaragua would be the same as those being applied to other members of the armed opposition who had agreed to abandon their armed struggle and return to Nicaragua. President Carter communicated this agreement directly to Miskito Indian leader Brooklyn Rivera and to the press at a news conference before his departure from Nicaragua.

III. Conclusions and Follow-up

Based on the meetings held during this pre-election visit the delegation concluded that despite differences between the Nicaraguan government and the opposition parties, the climate could be characterized as propitious. The differences regarding media access, the balance of the Supreme Electoral Council, conscription, expropriation of property, and political prisoners are significant, but the delegation viewed as more important the Tela Agreement and the Political Accord of August 4, which demonstrate a commitment by both sides to participate in the elections. The delegation left Nicaragua with a feeling of optimism about the potential for the opportunity of the Nicaraguan people to express their will in free and fair elections.

Following the delegation's visit, at President Ortega's request, President Carter wrote to Cardinal Obando y Bravo and urged him to use the National Reconciliation Commission to encourage both sides to moderate the campaign rhetoric and begin the healing process that will be so critical to the future of Nicaragua regardless of who wins the election.

During the visit President Ortega had expressed his government's interest in normalizing relations with the United States. President Carter responded that he thought this would occur if the elections were free and fair. Upon his return to the U.S. President Carter had extensive consultations with President George Bush, Secretary of State James Baker, and other senior officials in the Administration, as well as with Democratic and Republican leaders in the House and Senate. Following those meetings President Carter expressed his belief that there is

much U.S. interest in the Nicaraguan elections and a genuine intention to improve relations if the elections are free.

President Carter also met in Washington with Secretary-General of the O.A.S. Joao Baena Soares and Elliot Richardson, the special representative of the United Nations Secretary-General, to discuss coordination among the observer groups.

Delegations representing the Council of Freely-Elected Heads of Government will travel approximately once a month between September and February and will be present in Nicaragua to observe the elections in all nine regions in February 1990.

ITINERARY

Saturday, September 16, 1989

9:30 a.m. arrival in Managua

Arrival Statement by the Hon. Jimmy Carter

Meeting at airport with President Daniel Ortega, Vice-President Sergio Ramirez, Deputy Foreign Minister Victor Hugo Tinoco, Secretary-General of the Foreign Ministry Alejandro Bendaña, and former President of Argentina Raúl Alfonsín

Meeting at the Supreme Electoral Council

Meeting and Lunch with Violeta Chamorro and Virgilio Godoy and advisors Antonio Lacayo and Jaime Bonilla

Meeting at UNO party headquarters with representatives of parties in the UNO coalition

Dinner with President Ortega, Vice-President Ramirez and other government officials

Sunday, September 17, 1990

Meeting with Gustavo Parajon, CEPAD

Attended Baptist Church service

Meeting with Lino Hernandez and representatives of the Permanent Commission on Human Rights

Meeting at the headquarters of the OAS Observer Mission with Mario Gonzalez and representatives from the OAS regional offices

Meeting at the headquarters of the UN Observer Mission with Iqbal Riza and other UN observers

Meeting with President Ortega

Meeting with directors of COSEP (Superior Council of Private Enterprise) - Gilberto Cuadra, Pres.

Dinner at INCAE (Central American Economic Institute) and economic briefing by representatives of the government and members of the private sector - hosted by Francisco Mayorga and Enrique Dreyfus of CORDENIC (Commission for the Reconstruction and Development of Nicaragua)

Monday, September 18, 1990

Travel to Puerto Cabezas

Meetings with CEPAD and a multi-denominational representation of church leaders

Meeting with Tomás Borge, Minister of the Interior

Visit to church at Lamlaya

Return to Managua for Press Conference
Return to the U.S.

ARRIVAL STATEMENT BY FORMER PRESIDENT JIMMY CARTER

Managua, Nicaragua

September 16, 1989

I have come to Nicaragua today as the Chairman of the Council of Freely-Elected Heads of Government. We are a group of fifteen former and current Presidents and Prime Ministers of western hemisphere nations who are dedicated to reinforcing democracy. I am delighted to be joined by my good friend and fellow Council member Raúl Alfonsín—a man who courageously guided his nation from military dictatorship to civilian, constitutional rule.

We were invited to observe the electoral and democratization process in Nicaragua by the Supreme Electoral Council, President Daniel Ortega, and the leaders of UNO (the National Opposition Union). Though the government and the opposition are reported to have some differences, we are grateful that they agreed that our presence can help increase the prospects that the election to be held on February 25, 1990 will be free and fair and respected by the people of Nicaragua and the international community. On behalf of the Council, let me say that we are proud to be invited to witness and reinforce this historic moment of self-determination and national reconciliation.

We are here to listen and to learn about the elections. We will be meeting with the leaders of the government and the opposition, the members of the Supreme Electoral Council, church, business, and labor leaders, and the members of the U.N. and O.A.S. Observer Missions. The Executive Secretary of the Council of Freely-Elected Heads of Government, Dr. Robert Pastor, has consulted with the O.A.S. Secretary General and Mr. Elliot Richardson, the leader of the U.N. Delegation, and we are eager to coordinate our activities with these two missions in Nicaragua.

My good friend, Carlos Andrés Pérez, has designated Dr. David Morales Bello, Presidente de la Comisión de Política Exterior del Senado, as his representative to our delegation. Prime Minister Michael Manley of Jamaica and Prime Minister George Price of Belize have both agreed to serve on the delegation and to visit Nicaragua before as well as during the election.

Though we recognize the importance of Managua, on every trip we will try to visit areas outside the capital. On Monday, I will be going to Puerto Cabezas on the Atlantic coast to see whether the people and the leaders feel they have a legitimate and fair chance to participate in the political process.

We are neutral with regard to all the political parties and candidates in Nicaragua, but we are partial to the democratic process. The judgment of the Nicaraguan people is what counts on February 25, 1990, and we stand with them in their desire to express their sovereign political will in a free and honest way.

Appendix 9: Letter from President Carter to Daniel Ortega and Brooklyn Rivera

JIMMY CARTER

September 22, 1989

To President Daniel Ortega

Brooklyn Rivera and the Indian Leaders of Nicaragua

The following is the understanding between myself and Minister Tomas Borge concerning the return of the Miskito Indian leaders, as modified after subsequent discussions today:

The leaders will:

1. Renounce the armed struggle;
2. Declare not to be involved in illegal activities;
3. Declare readiness to incorporate themselves in political activities of Nicaragua;
4. Will make honest efforts as soon as possible after return to Nicaragua to achieve the demobilization, disarmament, and return to political life of the country of troops under their control.

Appendix 10: October Pre-Election Trip Report
Report on Pre-Election Trip to Nicaragua
Observer Delegation
Council of Freely-Elected Heads of Government
October 20-23, 1989
Honorable Rafael Caldera
Honorable Bruce Babbitt
Honorable Donal (Mike) O'Callaghan
Elizabeth Frawley-Bagley
Dr. Jennie Lincoln
Dr. Jennifer McCoy
Luis Miguel Gonzalez
Andrés Caldera
Fernando Febres
Harriet Babbitt
Smith Bagley

SUMMARY REPORT OF SECOND PRE-ELECTION VISIT TO NICARAGUA OCTOBER 20-23, 1989

I. Introduction

As part of the Council of Freely-Elected Heads of Government's project to observe the electoral process in Nicaragua, four members of the Observer Delegation visited Nicaragua from October 20-23, 1989, to meet with individuals and groups involved in the electoral process, and to observe first-hand the last scheduled day of registration to vote. On the fourth Sunday of registration, October 22nd, the delegation and accompanying members divided into six teams

that visited 59 juntas receptors (JRVs or registration sites) that accounted for over 19,000 registrants. At the end of the visit, former President Rafael Caldera (Venezuela) presented a statement to the press on behalf of the delegation.

II. Direct Observation of Registration - October 22, 1989

The delegation and accompanying staff persons divided into six teams and covered 59 mesas in Regions II, III, and IV that represent approximately 19,100 voters.

Region II - Leon	23 JRV's (registration sites)
Region III - Managua	12 JRV's
Region IV - Granada	<u>24 JRV's</u>

TOTAL: 59 of 4394 in Nicaragua

Based on interviews of electoral officials at the JRV's and individuals who were present to register our delegation observed the following at the above identified JRV's in Regions II, III, and IV:

1. Adequate or extra registration materials were encountered at every site.
2. Polls opened on time. Few long lines were observed at the time of the visits, and some sites were without registrants. Most of the sites visited expected to complete easily the registration of all eligible voters by the end of the day, the fourth Sunday of registration. There was an uneven number of people registered at each site ranging from 185 to 602. By law no more than 400 may vote at any single JRV.
3. Each JRV should have three election officials present to register voters. Three substitutes were also designated for each JRV, but were not required to be present for registration. Of the sites we visited 81% had all three present. The remaining 19% were each missing the 2nd member which according to the political accord should be from the opposition, since opposition parties collectively are to determine who holds that slot.
4. No political propaganda was found at any of the registration sites.
5. Electoral police (PE) were present at every JRV, although none were armed. The President of the Supreme Electoral Council explained to the delegation that the local President of the JRV has the authority to ask the Electoral Police (PE) to carry weapons and may ask the armed PE to enter the JRV if he determines that there is a security concern.
6. Some voters-as many as half at some sites-registered by having two witnesses instead of documentation.
7. Identification documents accepted for registration varied from JRV to JRV, but always included as acceptable: passports, birth certificates, commercial licenses, and drivers licenses. Some sites accepted other documentation, such as baptismal certificates, while others did not.
8. The observer credential given to each delegation member by the Supreme Electoral Council was requested for identification by the Electoral Police before the observer was allowed to enter the JRV. Delegation members who were accompanied by OAS observers with visible credentials (OAS badge and/or OAS T-shirt) were not asked for identification.

9. The only complaint received by the delegation about the registration process was a dispute about the verification of the age of two registrants at one JRV. Registration was denied in some cases due to lack of proper credentials or witnesses or mistaken location for registration of the individual.

III. Reports Made by Individuals or Groups to the Delegation (Secondary Sources)

1. Local JRV Presidents have been given significant authority. In any case of controversy, the UNO expressed concern that a decision would favor the FSLN that usually dominates the official electoral councils. This is especially true in the absence of the 2nd members. UNO is considering asking that the JRV's be reconstituted for the election.
2. UNO representatives reported several problems with registration, such as one case in the mountain region of Chontales where citizens were reported to have been denied registration because six JRVs were collapsed into one, causing long lines.
3. The FSLN and the Government of Nicaragua continue to charge that Contra activities are interrupting the electoral process, while the opposition charges that Sandinista military (EPS) intimidation threatens the process. One specific case in dispute at the time of the delegation's visit was the killing of 15 reservists north of the Rio Blanco, who according to the Government of Nicaragua, were reportedly traveling to register to vote. The delegation received conflictual accounts of the incident.
4. UNO reported that their petition to the government was denied that sought permission for Nicaraguans who are outside the country-and who do not fall in current guidelines-to vote. This would mean extending registration to possibly tens of thousands of Nicaraguans in Honduras and Costa Rica.
5. UNO continues to be concerned about equal access to the media since the 10 minutes/week free time allotted to each political party is on Channel 2 that does not reach all parts of managua, much less the countryside, instead of the technically powerful Channel 6 that is owned and operated by the government.

IV. Summary of Observations

Based on direct observation of a limited sample of the registration sites, and information from many individuals and groups, the delegation concluded that overall the registration process proceeded normally in those regions. However, based on the information gathered through both direct information and secondary sources, a number of concerns remain.

1. Due to security reasons in Regions I, V and VI many voters could not register. The delegation expressed its support for the consideration of the Electoral Council to extend registration in those regions. The Electoral

- Council is to meet on this issue October 30. (Note: Subsequent to this report an extension of registration was announced for November 5, 1989).
2. The impressive number of voters registering means that new voting sites will have to be made available to comply with the electoral law that mandates no more than 400 voters per JRV. It is important that additional JRV's be located in the same or very near the original JRV to reduce the possibility of confusion on election day.
 3. The delegation concluded that the issue of access to the media needs to be more fair and equal. Despite government and Electoral Council declarations that this is the case, access to a television and radio signals that may be received in every area of the country are available to the opposition parties in a very limited manner. Programming on Channel 6 (Government controlled) includes informal programming of a very campaign-oriented nature, such as a youth program of music with an interview of a young candidate for the legislative assembly.

Channel 2 does not reach all parts of Managua, much less the whole of Nicaragua. Programming on local radio is similar in discrepancy between coverage and programming of the opposition.

The delegation concluded that this must be addressed by the parties and the Electoral Council in order to assure the opportunity for all sides to campaign fairly.

Revised 11/6/89

DELEGATION SCHEDULE

Saturday, October 21, 1989

Supreme Electoral Council

Supreme Electoral Council Mariano Fiallos

Supreme Electoral Council Leonel Arguello

Supreme Electoral Council Aman Sandino

Cardinal Miguel Obando y Bravo and Mons. Bosco Vivas

U.N. Observer Mission (ONUVEN)

U.N. Observer Mission (ONUVEN) Igbal Riza, Director

O.A.S. Observer Mission

O.A.S. Observer Mission Mario Gonzalez, Director

Superior Council of Private Enterprise (C.O.S.E.P)

Superior Council of Private Enterprise (C.O.S.E.P) Gilberto Cuadra

Superior Council of Private Enterprise (C.O.S.E.P) Jaime Bengoechea

Superior Council of Private Enterprise (C.O.S.E.P) Juan López

Rafael Solís, Member of Legislative Assembly and FSLN Candidate for Legislative Assembly

Sunday, October 22, 1989

Observer Missions deployed to Region II (Leon)

Observer Missions deployed to Region III (Managua)

Observer Missions deployed to Region IV (Granada)

Meetings with OAS officials and Nicaraguan Electoral officials in each location

Monday, October 23, 1989

Violeta Barrios de Chamorro, Presidential Candidate for UNO
Virgilio Godoy, Vice-Presidential Candidate for UNO
National Opposition Union (UNO) Directors
Sergio Ramirez, Vice-President and FSLN Vice-Presidential Candidate
STATEMENT BY FORMER PRESIDENT RAFAEL CALDERA

**Managua, Nicaragua
October 23, 1989**

We are finishing our three day visit to Nicaragua under the auspices of the Council of Freely-Elected Heads of Government.

The Council is a group of fifteen former and current Presidents and Prime Ministers from this Hemisphere, which has its seat at the Carter Presidential Center in Atlanta, Georgia. This group is dedicated to take advantage of the experiences of its members to support the struggle for democracy in the region. Our group has been invited by the Supreme Electoral Council (CSE), by President Ortega, and by leaders of UNO to observe the electoral process in Nicaragua. In September, former Presidents Jimmy Carter and Raúl Alfonsín were here with the purpose of observing the beginning of the electoral process. During this visit, the group consisted of Dr. Rafael Caldera, former President of Venezuela, Mr. Bruce Babbitt, former Governor of the State of Arizona, U.S., Mr. Donal (Mike) O'Callaghan, former Governor of the State of Nevada, U.S., and Ms. Elizabeth Bagley, lawyer in Washington, D.C., specialist in international affairs, and former official in the U.S. Department of State. We consider it an honor to have been invited as observers of this important moment in the Nicaraguan political process. As observers, we are committed to be neutral, and we will respect the right of the Nicaraguans to express their political will in an open and free manner.

Yesterday, our group divided into six groups to observe the registration process in the cities of León, Granada, and Managua. We visited a total of 59 registration locations, and we had meetings with each one of the Electoral Councils in Regions II and IV. We also had meetings with the local leaders of UNO and the FSLN in Region IV, and in Managua with the members of the Supreme Electoral Council, leaders of the Government and the Opposition, managers, members of the DEA delegation, and the observer from the United Nations' mission.

We were able to observe a normal process at the registration sites, and the calm and organized form in which the process was completed yesterday in those three cities. It was the last day of registration for the citizens who had not registered during the three previous Sundays. We have been informed that in certain areas of the country, many people still couldn't register for reasons of security or others. We spoke with the Supreme Electoral Council about the possibility of extending the opportunity to register in those areas and we hope that the Council takes all measures to guarantee all Nicaraguan citizens the opportunity of registering to vote. We consider the volume of registration a positive sign, and we think that in some areas the high number will require additional voting sites to be opened. In these cases, we urge the Supreme Electoral Council to open additional voting sites in the same areas where people registered.

We are also aware of the importance of the use of television in the upcoming election campaign. We hope that all of the political parties will have access to the television channels in a manner such that they can broadcast to all parts of the country, and not just the capital city.

Based on our first impressions on this visit, we feel encouraged by the agreement between the government and the opposition parties to participate actively in the electoral process.

Members of our group will continue to make periodic visits from now until the date of the election. We will also maintain an office in Managua to send us news and to facilitate the visits of our delegation.

We are very grateful for the opportunity to observe this stage of the electoral process. We want to take this moment to express our desire for the participation of all Nicaraguans in choosing their own path toward complete democracy in Nicaragua.

Appendix 11: Voter Registration Figures

NICARAGUAN VOTER REGISTRATION BY REGION - 1989 SUPREME ELECTORAL COUNCIL REGISTRATION STATISTICS

REGION	TOTAL JRVs	# OF REGISTRANTS BY DAY / I.R.V. REPORTED				TOTAL REGISTERED
		10/2/89	10/9/89	10/16/89	10/23/89	
1	461	35,891 461 100.0%	52,939 461 100.0%	50,298 461 100.0%	30,005 461 100.0%	-3 169,130
2	707	64,613 706 99.9%	81,916 707 100.0%	78,623 707 100.0%	70,187 707 100.0%	-689 294,650
3	1,096	121,693 1,096 100.0%	125,734 1,096 100.0%	114,571 1,096 100.0%	100,448 1,096 100.0%	+325 462,771
4	860	70,032 860 100.0%	79,996 860 100.0%	78,635 860 100.0%	71,887 860 100.0%	-227 300,313
5	478	25,242 478 100.0%	45,188 475 99.4%	53,989 478 100.0%	50,261 477 99.8%	+90 174,770
6	496	39,012 496 100.0%	65,142 495 99.8%	78,451 493 99.4%	62,467 494 99.6%	+262 245,334
7	154	9,162 135 87.7%	13,006 135 87.7%	18,039 145 94.2%	18,410 153 99.4%	+1797 60414
8	98	6,403 96 98.0%	7,681 96 98.0%	7,862 96 98.0%	7,453 96 98.0%	-4 29,395
9	44	4,017 43 97.7%	4,768 44 100.0%	4,126 44 100.0%	2,411 44 100.0%	-11 15,311
TOTAL	4,394	376,065 4,371 99.5%	476,370 4,369 99.4%	484,594 4,380 99.7%	413,519 4,388 99.9%	+1540 1,752,088

¹ Fifth Column represents additional registration from the re-opening of selected JRV's after the October registration period and the Amnesty Program, as well as deletions due to duplications and discrepancies in SEC data.

Appendix 12: Symposium on the Nicaraguan Elections, November 1989

Presents a Symposium on
"The Nicaraguan Elections: A Turning Point?"

Tuesday, November 14

1-5 P.M.

Cyprus Room, The Carter Center

Co-Chairs:

Jimmy Carter, Chairman of the Council of Freely-Elected Heads of Government
Daniel J. Evans, former U.S. Senator (R.-Wash.); Co-Leader of U.S. group of Council delegation

On February 25, 1990, Nicaragua will hold elections for president, vice president, Legislative Assembly, and municipalities. Ten political parties are participating in the elections. Representatives of the Sandinista Party (FSLN), the National Opposition Union (UNO), and another opposition group will speak at the symposium together with the president of the Supreme Electoral Council. The elections will be monitored by the Council of Freely-Elected Heads of Government, which is headquartered at The Carter Center of Emory University, the United Nations, the Organization of American States, and other groups. The elections could be a turning point in Nicaragua's history. If free and fair, the elections could begin a process of genuine reconciliation within Nicaragua and between the United States and Nicaragua. These and other issues will be discussed at the symposium.

Partial support for the speakers is provided by the Hightower Lecture Fund. Tickets are free, but seating is limited. Tickets can be obtained or reserved at the Latin American Program of The Carter Center (404-420-5151) or at Emory, 309 Cox Hall.

The Carter Center of Emory University Latin American and Caribbean Program
presents

The Nicaraguan Elections: A Turning Point?

A Symposium Co-Chaired by Jimmy Carter and Daniel Evans
Carter Presidential Center Atlanta, Georgia November 14, 1989

1:00 p.m. - 2:00 p.m.

Panel I: THE NICARAGUAN ELECTIONS IN CONTEXT

"The Organization of the 1990 Elections"

Mariano Fiallos, President, Supreme Electoral Council

"The Nicaraguan Elections in Historical Context"

Robert Pastor, The Carter Center of Emory University

"The Nicaraguan Elections in Comparative Context"

Larry Garber, Senior Consultant for Electoral Processes, National Democratic Institute for International Affairs

BREAK: 2:00 p.m. - 2:15 p.m.

2:15 p.m. - 3:45 p.m.

Panel II: NICARAGUAN PERSPECTIVES

Alejandro Bendaña, Secretary General of the Foreign Ministry of Nicaragua and the Designated Representative of the FSLN

Alfredo Cesar, member of the Campaign Committee, UNO, and Secretary General, Social Democratic Party
Moises Hassan, Presidential Candidate and Member of Executive Committee, Movement for Revolutionary Unity (MUR)
General Discussion and Audience Q & A

BREAK: 3:45 p.m. - 4:00 p.m.

4:00 p.m. - 5:00 p.m.

Panel III: INTERNATIONAL VIEWS OF THE ELECTIONS

Jimmy Carter, Chairman, Council of Freely-Elected Heads of Government
Elliot Richardson, Special Representative of the UN Secretary General
Mario Gonzalez, General Coordinator, Election Observer Mission, Organization of American States
General Discussion and Audience Q & A

Appendix 13: Excerpts from the Symposium

**THE NICARAGUAN ELECTIONS: A TURNING POINT? NOVEMBER 14, 1989
EXCERPTS FROM THE SYMPOSIUM**

Carter's Trip to Nicaragua in September

President Carter: "When I was in Nicaragua in September with President Alfonsin, we were met at the airport by President Daniel Ortega who informed us that if the United States Congress decided to send money into Nicaragua in accordance with Nicaraguan law and not covertly or secretly, that he would have no opposition to it, even though he realized at that time that most of the funds would be channeled to his opponent. Among other things, I reported that to President Bush."

The U.S. Position After Free Elections

Daniel Evans, former U.S. Senator (Repub-Washington), and co-leader of the U.S. group of the delegation of the Council: "If the election is considered to be a free and fair election, and I would hope that the observer team under President Carter's leadership coupled with those from the OAS and the United Nations will help to insure that.. [the results] will be respected by the administration..."

Negotiations on Demobilization of Contras/U.S. Funding

Alejandro Bendaña: "The key [in negotiations] is to achieve not only a cease-fire but also to secure a commitment from the United States to comply with what the Central American Presidents asked in February and again in August; and that is to channel humanitarian aid, which by the way is not supposed to be boots, tents, uniforms, but humanitarian aid for the demobilization, relocation or resettlement of the Contras. [This is necessary because] war and elections are a very difficult combination."

"...\$9 million is ridiculous in Nicaraguan terms. That's \$300-400,000 per week; \$600,000 to pay poll-watcher activities. That means that an individual poll-watcher on February 25th will make more than he does in an entire month. We are not running this election to satisfy the United States. The United States should come out unequivocally and say that it is going to work constructively with the new government because [we want] ... reconciliation with the U.S..."

Respecting the Results

Alejandro Bendaña: "If the FSLN wins, then UNO and the rest of the opposition should from this very moment say that they will work constructively, [and] peacefully with the government in order to try to achieve economic reconstruction that our country so desperately needs. But [it is necessary to say it] the other way around too, and the FSLN is not ashamed to say it: if UNO were to win, which we of course don't think is going to happen, but if that were to happen, we, too, would be prepared to work constructively as an opposition force in trying to move the country forward."

Alfredo César: "...we have said many times and I repeat it today, that if the elections are free and fair we will accept whatever result the Nicaraguan people decide, including the possibility of Daniel Ortega and the Sandinista Front winning the elections."

"...no matter who wins, the game is over in Nicaragua for one player. From now on, it will take two to tango in Nicaragua... Is the government ready for that? *I consider that the electoral process is the only solution for the conflict of Nicaragua and no armed activity, attack, or whatever should take place because it only hurts the electoral process.*"

Moisés Hassan: "I am one of those who has serious doubts whether the Sandinista Front will release power or not. I think the Sandinista front is in a very difficult position.... Faced with the prospect of continued government, that has been very unsatisfactory for many reasons to most of the population, I believe that the "undecideds" have been dragged and pulled more toward UNO than to the FSLN."

FSLN Strategy: Tie UNO to Contras/A Forged Letter

Alfredo César: "For a few days, right after the decision to lift the cease-fire, full-page ads tying UNO and its candidate to the war started reappearing in the official press."

"On Saturday, a supposed letter that I had sent to Enrique Bermudez appeared in a Honduran newspaper... I issued a denial on Sunday [November 12]. Yesterday, Monday, *La Prensa* reprinted the denial... This morning, the official newspaper *Barricada* in a news piece and in an editorial, which is the official newspaper of the Sandinista party, editorializes based on that false letter, saying that this is the best proof that UNO and the [contra] assassinations that have been taking place in Nicaragua are fully connected."

"All of sudden, by coincidence, when President Ortega decides not to renew the cease-fire, these things start happening and definitely one has to say there must be something behind the reasons officially given by the government. I hope that these actions do not signify that once more in our history there is a government not willing to risk power in free elections."

The Sandinistas Are Not Revolutionaries

Moisés Hassan, Presidential Candidate of the Movement for Revolutionary Unity (MUR), former Sandinista leader: "Besides the two parties that are represented here, there are eight other parties taking part in the election ... The Nicaraguan people have ... seen their level of life deteriorate dramatically, and not all of this deterioration should be blamed on U.S. intervention. Of course, the U.S. intervention has had its important share of responsibility, but also the Nicaraguan

government has had its share. It has continued on the tradition of all past governments of trying to perpetrate themselves in power, [and] of abuse of state property... They have continued this type of tradition and therefore, from our point of view they are no longer entitled to be called 'revolutionary'...."

The UNO Platform

Alfredo César: "The UNO platform is basically the platform presented by the broad coalition [in 1979] that brought Somoza down. It ... respects all the social advances of the revolution, [and calls for] a deepening of the land reform. ... We call for a respect for private initiative for the small, medium, and large producer in Nicaragua. We [will] change the situation with the appropriate economic policies, like not spending ... 60% of the budget on defense..."

The Contras and Demobilization

Bendaña: "I did not hear Mr. César explicitly condemn the murders of innocent victims by the contras as has been documented in the press. I did not hear him call, nor have we had anyone in UNO call for the explicit demobilization of the contras."

Alfredo César: "The official position of UNO is in the agreement signed between President Ortega and all the opposition parties, including UNO, on the 4th of August, in which there is a specific paragraph [calling for] the demobilization [of the contras] in accordance and in support of the Central American Peace Agreements. [UNO also has issued] ... an official communique condemning the violence and asking for the demobilization process to continue."

Role of International Observers

Jimmy Carter: "When I was in Nicaragua in September, we had a long list of complaints from UNO and from the other smaller parties concerning access to media, the confiscation of land, conscription of people to punish political opponents, the threat from the FSLN that the United States was going to channel major covert financing into the country, plus many others. We took up some of these complaints with the Supreme Electoral Council and got their assurance that they would monitor these problems. Also, there was a commitment by the Sandinista leadership that beginning as early as possible, media access would be made available, for instance, on the broad-ranging channel, Channel 6 on television and not just on Channel 2. That's been done.

"One other issue that we undertook to correct, which would have been very serious, is a prohibition, in effect, against the Miskito Indian leadership returning to the Atlantic Coast. The Sandinistas put restraints on them that far exceeded those put on the Contras. So we tried with the Minister of Interior and President Ortega to develop new rules by which the Miskito Indian leaders could return, and the following day, I went to Washington and met with the Miskito Indian delegation, and we worked out a procedure by which they have returned to their country and are participating in the electoral process. Chairman Fiallos told me that the highest level of registration during the four Sundays of October was indeed the Miskito Indians."

"We have encouraged the Administration and Congress not to conduct any covert activity in Nicaragua and to make sure that any funds sent there were sent publicly [and] in accordance with Nicaraguan law."

"I hope that as the time approaches, that we can get strong commitments, private if necessary, public preferably, from the U.S. administration that it will lift the embargo immediately after the election if it is certified to be honest with full diplomatic relations ... regardless of who the victor or the victors might be. Though outside my duty as observer, I feel something of a responsibility to try to marshal international financial or economic support to help in the rebuilding of Nicaragua if the elections are honest."

Nicaragua and Arms Supplies for FMLN

Question: The *New York Times* reported that on October 18th, Honduras intercepted a truck of arms going from Nicaragua to El Salvador, and the driver said he had been making such deliveries since August. How can you justify your condemnation of U.S. overt, non-lethal aid to the contras and to UNO and yet justify the Nicaraguan government's aid to the FMLN in El Salvador?"

Alejandro Bendaña: "We can't justify anything that hasn't taken place. Didn't the Hondurans say that the weapons were wrapped in Nicaraguan newspapers? If we were stupid enough to send that, would we wrap them up in Nicaraguan newspapers?"

Appendix 14: December Pre-Election Trip Report

Report on Pre-Election Trip to Nicaragua

Observer Delegation

Council of Freely-Elected Heads of Government

December 13-16, 1989

Honorable Jimmy Carter

Mrs. Rosalynn Carter

Honorable Daniel Oduber

Honorable Daniel Evans

Dr. Robert Pastor

Dr. Jennifer McCoy

**SUMMARY REPORT OF THIRD PRE-ELECTION VISIT TO
NICARAGUA DECEMBER 13-16, 1989**

I. Introduction

Five members of the Observer Delegation of the Council of Freely-Elected Heads of Government travelled to Nicaragua between December 13-16: former President Jimmy Carter, Rosalynn Carter, former Costa Rican President Daniel Oduber, former U.S. Senator Daniel Evans, and Dr. Robert Pastor. This was the third visit by members of the delegation, following a trip in October to observe the registration process, led by former Venezuelan President Rafael Caldera and former Governor Bruce Babbitt, and a trip in September led by Jimmy Carter and former Argentine President Raul Alfonsin.

The trip represented the delegation's first opportunity to observe the campaign period, which opened officially on December 4. The delegation was particularly concerned with the escalation of violence and disruptions of the electoral process, culminating with the riot in Masatepe the weekend before this visit in which one person was killed and several injured at an UNO campaign rally. That incident deeply concerned the delegation, as it did candidates and officials throughout the country. We feared that it could be a threat to the integrity of the

election, particularly since the incident further polarized politics and little had been done to prevent its recurrence. We were also concerned about the effect of the November 1 suspension of the cease-fire and continued military activity on the election process itself, especially in light of the failure of the talks between the Nicaraguan government and the Resistance on the demobilization of the contras. The delegation travelled to Matagalpa, Esteli, and Managua, and met with regional and national party leaders and election officials, government leaders, Cardinal Obando y Bravo, and members of the press (see the enclosed schedule). We also worked closely with the UN and OAS observer missions, receiving their generous cooperation in coordinating the visit.

II. Activities and Discussions

Vice President Sergio Ramirez met the delegation on its arrival. In response to President Carter's statement about Masatepe, he said that the government was also concerned about the violence there and was considering issuing a decree that could prevent future recurrences. President Carter said that it would be preferable for the Electoral Council to take the lead in getting all of the political parties to work out procedures to eliminate campaign violence. Vice President Ramirez asked if Carter could help put together such a document.

The delegation then travelled to Matagalpa (Region VI) with Antonio Lacayo, campaign manager of UNO and with Alfredo Cesar, a leader of the Social Democratic Party and principal adviser to UNO Presidential Candidate, Violeta de Chamorro. In the group's discussions with these leaders and others from Matagalpa and Esteli (Region I), the group was able to develop a specific document on steps to prevent violence at campaign rallies.

Regions I and VI were reported by the United Nations Observer Mission to have experienced the most complaints of violence and intimidation in the electoral process. The electoral process in these regions is complicated by the presence of armed Resistance and Sandinista military forces, as well as by the return of former contras and refugees who have asked to participate in the electoral process with guarantees of safety.

Matagalpa

The region produces roughly 2/3 of the country's coffee, has strong opposition support, and is experiencing security risks in the rising numbers of reported clashes and attacks by contra or EPS forces. International observers, the regional electoral council, and the opposition leaders expressed concern that the high levels of tension in the region are giving rise to threats and violence, especially at opposition campaign rallies. The regional electoral council has worked with the parties to produce an agreement to respect the electoral ethics law, but most felt that this agreement has been violated repeatedly since its signing in later November. The complaints center on destruction of campaign propaganda, harassment (including stoning) at UNO campaign rallies, and intimidation of party supporters by both contra activities and Sandinista military and police. The electoral council agreed that more specific measures were needed to preclude campaign violence.

Another concern raised by nearly all the participants was the problem of registration in the northern part of the region, in which as 20,000 people were

perhaps not able to register due to security reasons, long lines, and lack of sufficient registration materials. The regional electoral council has asked for a 5th Sunday of registration for 26 registration sites (JRV's) that were either partially or totally closed, but had not yet received an answer from the Supreme Electoral Council. Of these 26, the electoral council reported that nine sites had security risks due to military or contra activity.

In addition to the above concerns, UNO raised the following issues: 1) inequitable access to the media (government has 33 radio stations nationally, compared to 7 independent stations); 2) concern about military personnel registering and voting more than once, and difficulty in verifying this; 3) threats to fiscales (poll-watchers) to prevent their functioning on election day (in Jinotega Dept, 45% of JRV's have no UNO fiscales, and in Matagalpa Dept. 35% are missing); 4) continued recruitment of party candidates and election officials into the military reserves, contrary to August agreement; and 5) plans for a major mobilization of 30,000 reservists in mid-December.

The FSLN representatives and regional military and police commanders responded that they wanted military personnel to register and vote in the same locale, near their barracks, to avoid problems. Since July they have reduced mobilization of reserves by 50%, had one large mobilization in October and another planned after the election, and had none planned for December. They estimate 3,500-4,000 contras inside Nicaragua, another 4,500 in Honduras, and nearly 600 amnestied in Region VI. They expect that the contras will continue their struggle after the election if the FSLN wins because the contras believe that the FSLN could only win by fraud, and so they will be justified in continuing the fight. About a third of the population lives in municipalities affected by contra activity.

Estelí

Historically a strategic region in Nicaraguan civil conflicts and Honduran border smuggling, Region I is characterized by strong FSLN support and organization, continued contra presence, and serious complaints of intimidation and threats to opposition political leaders and, secondarily, harassment at campaign rallies. Nevertheless, the electoral council and party leaders have met regularly and made some progress, recently signing a specific accord aimed at delineating the role of the police and controlling electoral violence. While there have been no major complaints about campaign rallies since the opening of the official campaign on December 4 (in contrast to incidents at Jalapa, La Trinidad, and other towns during the pre-campaign period in November), it is still too early to assess the effectiveness of the accord.

The issue of police protection is a central one in the region as well as nationally. The accord now provides for police presence at rallies with careful limitations and also for police protection of individuals upon request. The delegation addressed the case of Arnulfo Barrantes, the UNO legal representative who resigned temporarily from his position after receiving anonymous threats to himself and his family, and having his car stolen and burned. President Carter raised the case with President Ortega and with Vice Minister of Interior René Vivas, who promised to provide police protection to Barrantes. Other UNO leaders have also

reported intimidation and harassment to themselves, claiming it comes from state security forces.

The FSLN representatives reported the continued problem of contra activity and its impact on the electoral process, and cited a case in early December of an attack in which seven people were killed in La Trinidad. Other party leaders (PLIUN, PSC) complained about lack of access to either government or UNO - supported media, and that they are caught in the middle of the tensions and conflict between UNO and FSLN. The UNO representative, Dr. Braulio Lanciga, made an explicit statement that the UNO is not tied to the contras and that they condemn the contra violence.

The registration process appeared quite successful in Region I, with high numbers registering (compared to 1984) and none of the registration sites being forced to close (although some opened late or were given military protection.)

Ending the Electoral Violence

Based on our discussions with regional leaders in Matagalpa and Esteli, and national political and government leaders in Managua, we were encouraged that leaders from all sides wanted to end the electoral violence, and by the efforts in Regions I and VI to reach a consensus among the parties to that end. We worked with national party and election officials to develop specific guidelines to minimize the chances of violence at political rallies in all regions by prohibiting the presence of weapons of all kinds at rallies, barring the sale of alcohol during the time of the rally, regulating the use of the police, and urging the moderation of political rhetoric. We also encouraged party leaders publicly to accept the results of the February election and work for reconciliation regardless of who might win. We urged the Supreme Electoral Council to take the lead in developing a consensus around such guidelines. During our visit, the Electoral Council solicited proposals from the political parties and convened a meeting to try to reach agreement on an accord. The effort failed to gain the signatures of all the parties, however. We continued our efforts to devise a set of guidelines that would be acceptable to all parties and, after consulting with the SEC, we gained approval of FSLN and UNO leaders of the proposed guidelines. SEC President Mariano Fiallos authorized President Carter to announce in his press conference that the Supreme Electoral Council would promulgate a decree setting out the guidelines and that the Ministry of Interior would implement it. Carter called on all political parties to publicly endorse the measures.

Contras and the elections

The delegation also discussed the negative effect on the electoral process of the presence of the Nicaraguan Resistance (contras) inside Nicaragua, the continued military activity, and the use of the contras in political campaign rhetoric. The tying of UNO to the contra and the Guardia Nacional in the press and in campaign rhetoric is damaging to the climate of the campaign and prospects for national reconciliation. In discussions with the UNO leadership, the delegation urged them to state clearly that there is no relationship between UNO and the contras and to condemn the contra violence. The previous UNO position was to condemn all the violence in the country by both sides and to support the Central American Accords, which call for demobilization of the contras.

Nonetheless, several UNO leaders agreed to be more explicit in future condemnations of contra violence.

The group also raised the issue of the FSLN's campaign rhetoric and intimidation, and President Carter asked President Ortega to refrain from intimidating UNO candidates or publicizing further resignations by them. The group received assurances from the FSLN leadership that they would lower the rhetoric if UNO publicly condemned contra activities and called for their demobilization. With the approval of Violeta Chamorro and her campaign advisors, Carter announced to the press Mrs. Chamorro's statement that a) there is no relationship between UNO and the contras; b) that she condemned violence from any source, including the Nicaraguan Resistance; and c) that she endorses the Central American peace accords, which call for the demobilization of the contras.

Supreme Electoral Council

President Carter personally asked Mariano Fiallos and the Supreme Electoral Council to extend voter registration for one day in those areas that had been disrupted for security and other reasons in Matagalpa and the Atlantic Coast. Also, the delegation suggested that political parties be given lists of registered voters on computer disks or tape in addition to the printed copies now being distributed for the purpose of checking names, and that the Council enforce its rules to moderate offensive campaign rhetoric, such as the linking of UNO to Somoza's National Guard. The delegation also pressed the SEC to permit more flexible access to the media for the opposition. Specifically, UNO requested permission to broadcast television advertisements earlier in the evening and to use their time allotment in briefer periods of, for instance, 60 second spots. President Carter asked President Ortega whether all external funding to the FSLN was being reported, as required by Nicaraguan law. President Ortega responded that all external funding had been reported to the Supreme Electoral Council. Finally, President Carter made a strong statement of support for the work of the Supreme Electoral Council and urged all political parties to give the Council their full support and to be wary of those who would try to discredit the electoral process.

Human Rights

The delegation visited Reynaldo Aguado in Tipitapa Prison and met with Vice Minister René Vivas to assure that Aguado was being treated fairly.

Economic Aid

The delegation also met with the Ambassadors from fifteen different countries, including the United States, the Soviet Union, Eastern and Western Europe, Japan, and Latin America to discuss long-term aid for the Nicaraguan government if the elections were judged free and fair by the Nicaraguan people and the international observers. President Carter informed the ambassadors that he intended to write to their leaders urging that they make a commitment for a substantive economic aid package for Nicaragua, provided the elections were certified to be fair and free. He also said that if the elections were not free, then national reconciliation would not occur, development would not be possible, and aid would therefore be unnecessary.

III. Conclusions and Follow-up

After leaving Managua, the delegation spent four hours in San José with Presidents Oscar Arias and Carlos Andrés Pérez briefing them on the Nicaraguan electoral process and discussing the Central American peace process. Both Presidents Arias and Pérez believe that if the peace process is to be invigorated, the conflicts in both El Salvador and Nicaragua must be addressed. Success in one cannot occur without progress in the other. If the issue of contra demobilization is not advanced, then the Salvadoran war could worsen, and the Nicaraguan electoral process could be harmed.

On December 20, President Carter and Dr. Pastor visited Washington to brief senior Administration officials on the trip and to discuss the prospects for improving the Nicaraguan electoral climate by renewing the ceasefire and implementing the Central American Accords on demobilization. They also discussed the issues of cessation of support for insurgencies and the normalization of external relations.

Two days after the delegation's departure on December 16, the Supreme Electoral Council issued its directive containing the guidelines to prevent further electoral violence. The directive was publicly endorsed by the FLSN and UNO. To date, the ensuing campaign rallies have been peaceful. Senior campaign officials of UNO confirmed that they felt a turning point had been reached, and they hoped that the violence that had been escalating before our visit would recede permanently into the past.

ITINERARY

Wednesday, December 13, 1989

9:30 am-Arrive Managua

Meeting with Vice President Sergio Ramirez

Depart to Matagalpa (with UNO campaign advisors Antonio Lacayo, Alfredo César)

Visit to market

Matagalpa meetings:

OAS and ONUVEN observers

OAS and ONUVEN observers Yamandu Rios, OAS

OAS and ONUVEN observers Mirta Teitelbaum, ONUVEN

Regional Electoral Council

Regional Electoral Council Sadrach Zeledón, President

UNO leaders

UNO leaders Santiago Rivas Lecler, Legal Representative

UNO leaders Jaime Cuadra, Region VI campaign chief

UNO leaders Francisco Castillo, Department campaign chief

UNO leaders Frank Lanza, Candidate for mayor

UNO leaders Orlanda Rodriguez, Electoral control, Region VI

FSLN and government leaders

FSLN and government leaders Carlos Zamora, Minister Delegate of the President and Region VI FSLN coordinator

FSLN and government leaders Com. Luís Chavez, Region VI Commander, Ministry of Interior

FSLN and government leaders Cor. Manuel Salvatierra, Region VI Chief of Military

Thursday, December 14, 1989

Estelí meetings:

OAS and ONUVEN observers

OAS and ONUVEN observers Italo Mirkow, OAS

OAS and ONUVEN observers Carlos Dos Santos, ONUVEN

OAS and ONUVEN observers Gerd Merrem, ONUVEN-Managua

Region I Electoral Council, FSLN and UNO leaders

Region I Electoral Council, FSLN and UNO leaders José Miguel Cordova Gonzalez, President, Electoral Council

Region I Electoral Council, FSLN and UNO leaders Representatives from FSLN, UNO, PLIUN, PSC, PUCA, and PCD

Tipitapa Prison to meet prisoner Reynaldo Aguado, with Rene Vivas, Vice Minister of Interior

Visit coffee processing center

Managua meetings:

Tour UNO headquarters and meet with party leaders

Tour UNO headquarters and meet with party leaders Antonio Lacayo, Campaign manager

Tour UNO headquarters and meet with party leaders Hernaldo Zuñiga, Legal Representative

Tour UNO headquarters and meet with party leaders Alfredo Mendieta, APC

Tour UNO headquarters and meet with party leaders Fernando Zelaya, PNC

Tour UNO headquarters and meet with party leaders Leopoldo Navarro, PLC

Tour UNO headquarters and meet with party leaders Jaime Bonilla, PLI

Tour UNO headquarters and meet with party leaders Ivan Salvador, International Relations Secretary

Meet with policy advisors to Violeta Chamorro

Meet with policy advisors to Violeta Chamorro Alfredo César (political)

Meet with policy advisors to Violeta Chamorro Francisco Mayorga (economics)

Meet with policy advisors to Violeta Chamorro Antonio Jarquín (labor)

Meet with policy advisors to Violeta Chamorro Gilberto Cuadra (business)

Dinner with UNO candidates, Violeta Chamorro and Dr. Virgilio Godoy

Friday, December 15

Tour electoral computer center with Lic. Julian Corrales, Director

Meeting with OAS and ONUVEN observer mission

Meeting with OAS and ONUVEN observer mission Mario Gonzalez, OAS Mission Chief

Meeting with OAS and ONUVEN observer mission Iqbal Riza, ONUVEN Mission Chief

Meeting with Humberto Ortega, Minister of Defense and Joaquín Cuadra, Chief of Staff

Lunch with Supreme Electoral Council

Meeting with Cardinal Obando y Bravo

Meeting with Brooklyn Rivera, Yatama, and Gustavo Parajón, National Reconciliation Commission
Tour FSLN campaign headquarter and meet campaign leaders
Tour FSLN campaign headquarter and meet campaign leaders Bayardo Arce, Legal Representative
Tour FSLN campaign headquarter and meet campaign leaders Dionisio Marengo, campaign manager
Dinner with Ambassadors and political leaders at U.S. Ambassador's residence
Meeting with Supreme Electoral Council

Saturday, December 16

Breakfast with President Daniel Ortega and Foreign Minister Miguel D'Escoto
Meeting with Moisés Hassan, candidate of MUR
Meeting with Violeta Chamorro, Antonio Lacayo, Alfredo César, Pedro Joaquín Chamorro Barrios
Press conference

San José, Costa Rica

Meeting with Presidents Oscar Arias and Carlos Andrés Pérez

CONCLUDING STATEMENTS AND PRESS CONFERENCE

Managua, Nicaragua

Saturday, December 16, 1989

Jimmy Carter, Chair of the Delegation:

President Oduber and Senator Daniel Evans and I, along with my wife Rosalynn and Dr. Robert Pastor, and others, have had a very constructive and interesting visit to this country. We come here representing the Council of Freely-Elected Heads of Government. Nine of our group are leaders like President Oduber and I who have been elected freely. We will be meeting later this afternoon in San Jose with two other members of our group, President Oscar Arias and President Carlos Andrés Pérez. In addition, our group includes representatives from the United States, including two members of the U.S. Senate, two members of the House of Representatives, half Democrats, half Republicans. We cooperate fully with the United Nations and the Organization of American States. Our purpose is not only to observe the conduct of the elections but to insure that the election is conducted properly, honestly and fairly.

I think until this point in the elections, the registration has gone on extremely well, and the first registration lists from District I are being distributed to the political parties this morning. President Mariano Fiallos and the Supreme Electoral Council are doing a very good job and they need and deserve the full support of all the political parties. There have been some instances of violence in Nicaragua, particularly last Sunday in Masatepe, that are of great concern to us. And we've tried to orchestrate a full agreement among the political parties and the Supreme Electoral Council, will issue a directive that will control the violence in the future. This directive will have the full impact of a law of Nicaragua. The leaders of the political parties will agree to abide by the results of the election and to work for a reconciliation.

The directive includes specific requirements concerning the conduct of political rallies, including a prohibition against the sale of alcohol on the day of the rallies

and for two hours after the rallies are concluded; a prohibition against any weapons to be in the vicinity of a rally; inspection of the rally site by the police before the rally commences and then the police would maintain a prudent distance [Editor: The directive indicated no less than 100 meters] from the rally while it was underway to detect violence and take immediate action if violence should erupt.

This directive by President Fiallos will be given to the Ministry of Interior to implement, and my hope and expectation is that all the political parties will endorse publicly this directive so that each parties' militants will be restrained. [Editor: During the weekend, Fiallos gained the consent of the entire five-person Electoral Council rather than issue it himself. The Council then issued a modified decree on December 18, and both major parties endorsed it.]

Another problem that we have observed that creates violence is the tying of UNO to the contras and to the National Guard. Violeta Chamorro and the political campaign managers of UNO have made it very clear to us that there is no relationship between UNO and the contras, that the military actions of the Resistance are condemned by the UNO leaders, and that the UNO leaders and the UNO party fully support the accords that have been reached by the Presidents in Central America, including the accord that was reached last week in Costa Rica that calls for the demobilization of the contra forces. With this clear statement by UNO, it is not proper anymore for the newspapers or others to tie UNO with the contras.

Last night we had a meeting at the American Embassy residence with diplomats in Managua. There were representatives of about fifteen foreign nations and we called upon them not only to support the election but also to begin to pledge financial support for Nicaragua, so that if and when the election is determined to be fair and free in February, that major financial and economic support will be given to this country by international organizations and by other governments to rebuild Nicaragua and give the people of this country not only peace but economic prosperity.

Daniel Evans, Co-leader of the U.S. delegation members:

I believe this has been a rewarding and worthwhile trip of the delegation to Nicaragua. I have been impressed with President Carter's determination to bring the different sides together and to help reduce some of the rhetoric that always seems to surround elections not only here but elsewhere. I agree with President Carter that the registration and the preparations for the election, the mechanical preparations, appear to be going very well.

Of course, the test still remains in how the rest of the campaign is conducted and what happens on election day, February 25. And while we and the OAS and the United Nations are here as observers at the invitation of all parties concerned, it is my view that the best indicator of a good, free, and honest election will be the determination of the people of Nicaragua themselves after the election has been held to respect the results and move on toward national reconciliation. And it's our fervent hope that happens."

Daniel Oduber, Executive Committee, Council of Heads of Government, and former President of Costa Rica:

In 1977 President Carter and I and another group of leaders from Latin America met, and we started to fight for human rights in this region. The greatest test that we had was the negotiation for the Canal Treaty in Panama. We insisted with many governments, including the one with Somoza who was still installed here, that there should be a clear and honest democracy that would give this people the opportunity to choose their leaders freely.

Under President Carter's leadership, we have formed a group of Freely-Elected Heads of Government, and we feel it is our responsibility, with all due respect to the Nicaraguan people, to insist on free and honest elections in order to continue aiding the people of Nicaragua. Our task after the elections in February will be to convince the winners and the losers to start to reunite the Nicaraguan family and then to request the aid of all the international organizations and other nations not to leave Nicaragua alone, but to help to reconstruct peace and social prosperity.

Appendix 15: Decrees on Campaign Violence

First Decree, December 16, 1990

ACCORD ON CAMPAIGN VIOLENCE

The political parties, the Social Conservative Party, the Revolutionary Workers Party, the National Sandinista Liberation Front, the Marxist Leninist Popular Action Movement, the Nicaraguan Social Christian Party, the Central American Unity Party, the Nicaraguan Conservative Democratic Party and the Revolutionary Unity Movement Party, that are participating in the electoral process met on December 15, 1989 for the convocation of the Supreme Electoral Council with representatives of the Electoral Observation Missions of the Organization of United Nations and the Organization of the American States as guests; inspired by a constructive spirit and with patriotic responsibility; worried by the increase of violence in the country and, in particular, by the acts that have recently brought anguish to the electoral campaign and caused material damage; conscious of our duties as political leaders and in order to avoid those acts from repeating themselves, with the firm purpose that the electoral campaign take place in an atmosphere of peace, tranquility and mutual respect, in the manner that truly constitutes the civic celebration of the Nicaraguan people;

WE AGREE

To assume a solemn promise of consolidation, with practical measures [for] the conditions necessary for the development of the electoral process, for which we call formally upon our militants, activists and sympathizers to:

- a. Respect the rights of our people to freely choose their leaders, starting from platforms of Government and the campaign strategies of the parties, eliminating the injurious and slanderous campaign language
- b. Respect the rights of all parties to express themselves freely in accordance with the principles and interests that they represent.
- c. Cease all types of verbal and physical violence
- d. Neither provoke nor respond to provocations

Demand the demobilization of the Nicaraguan Resistance and the immediate cessation of all types of action against the population and the electoral process in order that the elections may take place under conditions of peace and civility. The Social Christian Party and the Conservative Democratic Party express reservations regarding the point referring to the demobilization of the Nicaraguan Resistance because this should take place in the framework of the accords of the Presidents of Central America.

Jose Maria Zabala PSOC

Bonifacio Miranda Bengoechea PRT

Bayardo Arce Casiano FSLN

Isidro Tellez Toruno MAP-ML

Filiberto Sarria P. PSC

Giovanni D'Ciofalo Vera PUCA

Eduardo Molina Palacios PCDN

Francisco Samper Blanco MUR

Second Decree December 16/18, 1990

DECREE ON CAMPAIGN VIOLENCE

SUPREME ELECTORAL COUNCIL-Managua, Nicaragua-(signed by five members)

THE SUPREME ELECTORAL COUNCIL, with the purpose of contributing to the creation of appropriate conditions that may allow the development of an electoral campaign within the framework of peace and civility that will lead to the celebration of just, honest, free and democratic elections on the 25th of February 1990, makes known through this communication to the Political Parties, Alliances and Popular Organizations, and to the citizens of Nicaragua, to urge the strict adherence to the regulations of the Political Constitution of the Republic, to the Electoral Law, to the Electoral Code of Ethics and the deverse resolutions and dispositions of the Supreme Electoral Council and the Regional Electoral Councils, that refer to demonstrations, meetings and other public activities. In particular, in response to the urgent need to put an end to the violence that has unfortunately occurred in the electoral campaign, the following actions should to be taken:

1. To comply with the elements of the Communication of the Supreme Electoral Council of 5 December 1989.
2. To instruct to the police authorities to seize all weapons or objects that could be utilized for aggressive intent (sticks, irons, rocks, etc.) that may be carried within a radius of 200 meters from the place where an electoral event is held, and to ask the directors of the organizations participating in the electoral process and the coordinators of rallies not to permit the carrying of the above-mentioned objects to the rallies.
3. To instruct the Regional Electoral Councils to take necessary measures to prevent acts of violence and to ask for help when they deem it necessary.
4. To instruct the police to take necessary measures at least two hours before the initiation of activities to assure that there may be no disturbances at the site of the rally and that they maintain themselves,

- from the beginning of the rally, at a prudent distance, not less than 100 meters, and to intervene if there is violence, to prevent violence, or if intervention is requested by the electoral authorities or the organizers of the rally.
5. To reiterate the prohibition of the sale or distribution of alcoholic beverages before and during the celebration of rallies in the community where the rallies take place.
 6. To demand that the coordinators and the speakers at these rallies make it known to the public that the role of the police is to maintain order and as such should be respected.
 7. To indicate to the directors of the media and journalists from television and the print media, that they should strictly comply with the Rules and Electoral Laws dictated by the Council, refraining from using insulting and injurious language, and that they remember that the Supreme Electoral Council, as the responsible entity for the administration of the law governing the Media and Social Communication, will rigorously and objectively apply this law.
 8. To ask that the candidates and supporters of the Parties, Alliances, and Associations publicly respect this communication.

Appendix 16: January Pre-Election Trip Report
Report on Pre-Election Trip to Nicaragua
Observer Delegation
Council of Freely-Elected Heads of Government
January 26-28, 1990
Honorable Jimmy Carter
Mrs. Rosalynn Carter
Honorable Alfonso López Michelson
Senator John Danforth
Representative Bill Richardson
Representative Douglas Bereuter
Dr. Robert Pastor
Dr. Jennifer McCoy

SUMMARY REPORT OF FOURTH PRE-ELECTION VISIT TO
NICARAGUA

January 26-28, 1990

I. Introduction

Seven members of the Observer Delegation of the Council of Freely-Elected Heads of Government travelled to Nicaragua between January 26-29, 1990: former President Jimmy Carter, Rosalynn Carter, former Colombian President Alfonso López Michelson, Senator John Danforth, Congressman Douglas Bereuter, Congressman Bill Richardson, and Dr. Robert Pastor. This was the fifth visit by members of the delegation, following a trip earlier in the month by Senator Christopher Dodd, Chairman of the Subcommittee on Western Hemisphere Affairs of the Senate Foreign Relations Committee. Dr. Jennifer

McCoy, the Director of the Managua Office, helped organize the visit and accompanied the delegation.

Since President Carter's visit in December, U.S. military forces had invaded Panama and intruded in the Nicaraguan Embassy residence in Panama. The latter event evoked a strong reaction by the Nicaraguan government, which included the expulsion of U.S. diplomats in Nicaragua. On this occasion, the principal opposition leader, Violeta de Chamorro, joined in criticizing the U.S. action and applauded the reaction by the Nicaraguan President. What was most interesting on this delegation's visit, however, was that no Nicaraguan raised Panama; the issue seems to have already receded.

The technical provisions of the election are progressing well, but the members of the delegation heard of serious problems and complaints related to the campaign. The principal concern related to charges of intimidation and harassment of opposition party candidates and poll-watchers (fiscales). Other problems included the imbalance in access to the media and the use of government facilities and vehicles by the Sandinista party. The opposition also complained that its access to funds provided by the U.S. Congress was being impeded, and the U.S. government also complained that its official delegation was not permitted to observe the elections.

With the return in mid-January of Sra. Violeta de Chamorro after a knee injury and of Vice Presidential Candidate Virgilio Godoy, the UNO campaign has moved into high gear. The candidates of the Sandinista Party and the other parties are campaigning intensely. With the election just one month away, and each of the two principal parties still confident of victory, the race is simply too close to call.

II. Activities

As before, the delegation met with leaders in the major opposition party (UNO), the Sandinista party (FSLN), minor opposition parties, the United Nations and Organization of American States observer teams, the Supreme Electoral Council (SEC), and Cardinal Obando y Bravo. (See the appendix for a full itinerary.) Along with observers from the OAS and the UN, and accompanied by many members of the press, the delegation witnessed a realistic trial demonstration of the procedures to be followed on election day. The process functioned very smoothly. Electoral officials and poll-watchers of the political parties will open the Juntas (voting sites) at 6 a.m. on February 25 to prepare for the day. They will receive sealed envelopes containing the ballots, and other voting supplies including three ballot boxes-for the Presidency and Vice Presidency, the National Assembly, and the Municipalities. The Juntas will open for voting at 7 a.m., with a limit of 300 voters per facility. Registration cards will be checked against computerized lists; a number selected by the junta and electoral officials on the day of the election will be stamped on each colored ballot. After voting, each individual will put their thumb in a jar of indelible ink to prevent voting a second time. A test was made to see how rapidly people could vote, and there is no question that 300 people will be able to vote by the time polls close at 6 p.m. Anyone still in line at that time will vote.

The Supreme Electoral Council has authorized our delegation to observe the voting by going in and out of the Juntas during the voting and counting. The delegation also met with the Regional Electoral Council for the Managua region and was impressed at its high degree of organization. In general, the delegation concluded that an excellent technical preparation has been made.

The delegation also attended major political rallies of Presidential candidates Daniel Ortega in Rivas and Violeta de Chamorro in Jinotepe. Both rallies were well attended and peaceful. The police kept a prudent distance from the rally as mandated by the Supreme Electoral Council decree that was issued at the end of the delegation's visit in December.

As in previous visits, the delegation consulted fully with the observers of the O.A.S. and the U.N. Both were concerned about the intimidation issue and were investigating the complaints. They urged us to pursue this issue with the government, and we did. In addition, we discussed ways to coordinate our deployments on election day and in conducting the parallel vote tabulations. In our visits to the rallies, we also consulted with these two groups.

Results of Discussions

Intimidation and Harassment. All parties agreed that any intimidation of fiscales was a serious threat to the integrity of the election. Government officials pledged, through private instructions and public pronouncements, to convince their supporters that any intimidation was damaging to their cause. President Ortega informed President Carter that he had just made a similar commitment to Cardinal Obando to take steps to end intimidation.

Use of Government Facilities. The FSLN had been using government vehicles and posters had been observed in government buildings. It was reported that the Sandinistas had not paid for the rent of the vehicles and that other political parties had not been permitted to use them.

The electoral laws permit leasing of government vehicles for campaign use. The SEC and FSLN officials will work to assure a complete accounting for the payment for this service, and other political parties will be reminded of this opportunity. The UNO campaign manager said that they did not wish to rent the vehicles at this time, but preferred to use those owned by private companies. The SEC and FSLN will make another effort, similar to the fairly effective one made before Christmas, to remove all campaign literature from government buildings.

Access to Media. Although the political agreement of last August had been honored concerning access to electronic media and additional time had since been allocated, the time and optimum hours for campaign advertisements were still not adequate. Both the OAS and the UN reported that because of the control of the most powerful radio and television stations by the government, an imbalance in the coverage of the campaigns was clearly evident.

We encouraged the Supreme Electoral Council (SEC) and FSLN leaders to provide additional time on television time to the opposition parties and that their campaign advertisements might be shown during available prime time between 7:00 and 9:30 p.m. The SEC agreed and promised to take such steps.

Verifying Registration. UNO officials and others agree that the registration process has been successful (at least 90% of those eligible were registered). The

SEC delivered the computer lists beginning on December 16 and continuing through mid-January. Since the last lists were delivered later than the previously-required December 25th deadline, the SEC relaxed the deadline for complaints on the list so that parties will have at least twenty days after receipt of the list to request correction. UNO indicated to the delegation that this timing would be adequate for them to review the list. They had just undertaken a preliminary review of the lists, and they seemed to be adequate, but they were awaiting funding to IPCE to do a more systematic examination. Since the delegation's visit in December, the SEC had granted permission for UNO and others to acquire computer tapes and diskettes to supplement the hard copies of voter lists, as UNO had requested.

Human Rights and Political Prisoners. In the Central America Accord reached at Tela in August 1989, the Nicaraguan government agreed to implement an amnesty for political prisoners and the release of the remaining 39 National Guard officers from prison. The government had previously indicated that it would do that only when the other part of the agreement related to the demobilization of the Resistance (the contras) was implemented.

The delegation was informed by Cardinal Obando that President Ortega said that he would release the prisoners after February 25th, and at the Cardinal's request, promised to consider including the 39 National Guardsmen in that release. The delegation asked Nicaraguan government leaders whether they would consider releasing all of them before the election. Shortly after the delegation's departure, President Ortega announced that both groups would be released between February 5 and 15.

Vote Count. The SEC agreed to permit copies of the actas (vote tally sheets) to be assigned for our observer teams (the Council, the UN, and the OAS). We will receive two copies of the vote records and tabulations from each of the 4394 voting places in the country. Furthermore, our observers will have unimpeded access to all voting sites, with the right to observe all voting procedures, handling of ballots, and tabulation and transmission of vote counts.

Funds for UNO/IPCE. Only a small portion of the funds previously appropriated by the U.S. Congress for delivery to UNO, to the SEC, and to the Institute for Electoral Promotion and Training (IPCE) had been delivered, despite previous concerted efforts by President Carter and many others. An agreement was consummated with the Nicaraguan government and Central Bank officials whereby funds would be delivered without further delay to UNO, IPCE, and the SEC. The government agreed that IPCE and the SEC would work in harmony to assure that activities and expenditures of IPCE would be in accordance with Nicaraguan law and election procedures. The SEC will assure compliance with this agreement, which was signed by representatives of the two organizations and witnessed by President Carter.

Immediately after the delegation's departure, the leaders of IPCE sent a letter to the Supreme Electoral Council indicating its intention to implement its activities in accordance with the electoral code; the contract that they had signed with NDI/NRI was included. Within three hours, the SEC sent a letter to the Ministry of External Cooperation approving of IPCE's activities, though acknowledging that it

would have to examine the contract in more detail later. The Ministry of External Cooperation then approved the transfer of funds to IPCE.

U.S. Government Observers. The U.S. Government had not been able to get approval for an adequate delegation to observe the election. The Nicaraguan government indicated that it considered such a delegation partial to the opposition, and that it had already invited an unprecedented number of international observers in their country, including our delegation and those of the UN and OAS. At the request of Senator Danforth and former President Carter, however, the Nicaraguan government leaders approved the addition of up to eight additional members of the U.S. Congress to our observer team. They will be given the same free access in performing their duties under the auspices of the Council of Freely-Elected Heads of Government as has been granted to other international observers.

III. Conclusions

After the delegation's visit in September, the Miskito Indian leaders were welcomed back into the country and seem to be fully involved in the political process. After our visit in December, new instructions were promulgated to end campaign violence, and everyone agreed there have been no incidents of violence or threats at any political rallies since then.

During this visit, the delegation was impressed by the determination of all the political parties to participate in the elections, but all were concerned about the problem of intimidation and harassment. The delegation made clear that it was in the interests of both the Sandinistas and the opposition that all designated opposition poll-watchers perform their duties on the day of the election. If this does not occur, this would call into question the integrity of the election. The government understands this point, and expressed interest in taking steps to ensure that it will not happen. Due to the active pre-election work and the plans for the election and the vote tabulation by our organization, the U.N., and the O.A.S., we believe that if there is fraud in the election, we will be able to detect it. In all, the election process is moving forward satisfactorily. Given the experiences in the past electoral process, it is fair to expect that new problems will emerge. But if the initiatives approved by the Nicaraguan government during this last visit are fully implemented in good faith, then we hope that any new issues will be similarly resolved. Therefore, we conclude that the opportunity for the Nicaraguan people to vote for their next government on February 25 looks good.

CONCLUDING STATEMENTS AND PRESS CONFERENCE

**Managua, Nicaragua
Sunday, January 28, 1990**

Hon. Jimmy Carter: "... Yesterday we witnessed a mock election, and it was conducted very well. The technical characteristics of the election are excellent. We also have made arrangements between my group and the UN and the OAS to monitor very carefully and adequately the conduct of the elections, and on the night of the 25th of February, the counting and tabulation of votes.

"As in the past, we have listened very carefully to reports of complaints and problems as they relate to the elections. One report that has been very disturbing to us has been of intimidation against supporters, candidates, and fiscales [poll-

watchers] of opposition parties. We have brought these matters to the attention of the leaders of the government and leaders of the FSLN. President Ortega informed me that he discussed this with Cardinal Obando y Bravo and that he and all the members of the government and the FSLN campaign were determined to eliminate any possible future intimidation, and that they would do this, and I quote President Ortega, 'with the firmest private instructions and also public declarations that it is crucial that all the fiscales that have been recruited and designated would be on their jobs on election day and night to assure the integrity of the elections.'

"Another complaint made to us was the use by the FSLN of government facilities including government vehicles and the use of government buildings to promote the candidacy of FSLN candidates for President and for other offices. It is legal for any party to rent and pay for the use of government vehicles. We have made this plain in discussions with all the parties and the Sandinistas, and the Supreme Electoral Council will certify that the FSLN is paying the full price for the use of government vehicles. We also raised the question of posters and other promotional materials in government buildings. The Supreme Electoral Council and the Sandinista leaders have agreed to make an effort to remove all of these improper uses of government buildings. Both the Supreme Electoral Council and the Sandinista leaders have agreed to permit more advertising and use of the electronic media especially during the hours of 7 - 9:30 p.m.

"All these agreements are very encouraging. The international observers will be monitoring very carefully to be sure that these agreements are carried out. This morning I discussed with President Ortega and Vice-President Ramirez the problem of delayed transfer of election funds from the U.S. Congress to the UNO campaign and also to IPCE [Institute for Election Promotion and Training], and I think we have successfully resolved that problem. We met with Government officials including those from the Central Bank, and this afternoon we met with representatives of IPCE and the Supreme Electoral Council. There has been an agreement signed and I'll read it. It is very brief:

"It is agreed that the Institute for Electoral Promotion and Training (IPCE) will work in harmony with the Supreme Electoral Council [SEC] to assure that activities and financial expenditures of IPCE will be compatible with Nicaraguan laws and electoral regulations as interpreted by the SEC. The SEC will assure compliance with this agreement."

"The agreement is signed by IPCE, SEC and me. With this, the bank and the Ministers and the President agreed that they would take immediate action without further delay to release all these funds. The final point that I would like to make is that there has been a problem with gaining the approval of the Nicaraguan government for a delegation of Congress members from the United States to observe the elections. At the suggestion of Senator Jack Danforth, we now reached an agreement that a total of not more than twelve members of the U.S.

Congress would join this delegation and would participate without restraint during the elections."

Alfonso López Michelsen, former President of Colombia: "I must confess that this is my first visit to Nicaragua, and I arrived with a certain skepticism about how clean these elections would be. I am now leaving absolutely convinced that the elections here in Nicaragua will be an example for many countries that the way to democracy is through an authentic electoral process carried out with the full respect of the law.

"I fully agree with President Carter that the technical preparations for the election are excellent due first of all to the people and the electoral technicians of Nicaragua and secondly to the United Nations and the OAS, who have offered valuable cooperation. The mission of President Carter has also been quite valuable in trying to reconcile different opinions of various groups and the government so that the latter might put forth positive criteria with which to fulfill the process. There is no better demonstration of the success of the electoral process than the fact that 89% have registered. This figure is quite high in comparison with not only third world countries but also the advanced countries. "If certain factors disappear such as intimidation, limitations on the amount of time allotted to the opposition in the media, or the unfair use of vehicles or the impediments to the transfer of funds, then I believe on election day, the number of votes will be such that the entire universe will be surprised."

Senator John Danforth: "A determination of the fairness of an election cannot be made until the polls close and votes are counted. President Carter has stated several specific matters that were discussed during this visit. In the opinion of this observer, one of those is most important-poll-watchers representing opposition parties are absolutely essential to a fair election. We have been told by a number of people that poll watchers have been intimidated by the government, particularly by the Ministry of Interior, and that some poll-watchers have been induced or intimidated to the point that they no longer want to serve as poll-watchers. I have no basis of [judging] whether those allegations are true or false, but we will know on election day whether they are true or false. If poll-watchers from opposition parties are not present at the polling place, it is impossible to have a fair election. If poll-watchers are present on election day, then it is much more likely that a fair election will occur."

Congressman Bill Richardson: "Although there are problems like intimidation and a freeze on the opposition's money, I think nonetheless that the prospects for a fair election in Nicaragua are good. I want to commend the efforts of the Supreme Electoral Council in the area of voter education and the clarity of the election process. Their performance is very good. I found that the United Nations and the Organization of American States are working well together.

"Most important, the reason that this election is seen as a fair election, and that is my fervent hope, is because of the Nicaraguan people. The Nicaraguan people are dying to vote; they are dying to express themselves. That is manifest by the high registration figures and the intense interest that one can see at rallies and in each of the contestant's election headquarters. I believe very strongly that there are still problems that have to be resolved. But based on the strong oversight

efforts of thousands of observers in the world community and individuals like President Carter, my conclusion is that the prospects for the election being a fair one are good.

"Let me just conclude by saying how pleased I am to be a member of President Carter's delegation, and I want to call attention to the role that he has played in resolving problems. First, through President Carter's intervention in September, the Miskito Indians are now participating in the process. Second, after the violence in Masatepe in December, President Carter intervened with the Sandinistas, UNO, the UN, the OAS, the Supreme Electoral Council, and there has not been campaign violence since then. Third, the issue of the transfer of funds to IPCE and UNO is very sticky in the United States, and President Carter resolved that issue today. I think this election is too close to call, and it will be decided in the last two weeks in a vigorous election process. I am delighted to be a part of President Carter's delegation."

Congressman Douglas Bereuter: "It is a pleasure for me to be part of this bipartisan commission. I agree with Congressman Richardson that President Carter has contributed much to the resolution of problems that have arisen concerning the development of this electoral process. I commend the effort of the Nicaraguan Government that understands that the cleaner the electoral process the better it will be for them. Hemispheric relations will improve as will relations between the U.S. and Nicaragua. The credibility of the elections especially for the U.S. Administration and Congress depends greatly upon the question of funding, and whatever may be the reason for delays, the question should be resolved immediately so that the elections may have credibility in Congress and the United States."

"The media also has a great responsibility in the entire process. I would like to see you write about abuses and problems as well as about the solutions to those that arise so that in this way the elections will have credibility throughout the world. That will contribute as I have said to the [improvement] in hemispheric relations as well as relations between the U.S. and Nicaragua."

Question: What is the significance of the presence of the Contras?

President Carter: "I believe that the presence of the Contras in Nicaragua has been harmful to the electoral process. Two days ago, I met with the leaders of the Contras in Atlanta, and I asked them to do as much as possible to avoid interfering in the electoral process. Commander Franklyn, Chief of Staff in Honduras, Commander Blas, a Miskito leader of the Contras, and Dr. Henry [Enrique Zelaya] assured me of this. So I believe that there will be minimal violence and interference in the electoral process by them."

Question: Three days ago there was a warning that the Sandinistas were preparing a gigantic fraud in order to steal the elections. In order to prevent this, UNO requested that the counting of the votes be made public. Do you believe that this is possible, and that this would make a supposed fraud impossible?

President Carter: "The United Nations, the Organization of American States, and the Council of Freely-Elected Heads of Government over which I preside are working closely together in harmony. I am absolutely sure that if there is any kind of fraud on election night, or any discrepancy in the vote count, it will be detected

immediately and denounced to the world. We saw no evidence at all that such plans are being made. The Supreme Electoral Council has agreed to give to the United Nations, the Organization of American States, and the Council of Freely-Elected Heads of Government, two copies of the same tally sheet (acta) of each voting site (JRV) in the whole country the same night of the elections. From this, there will be an independent vote count in the headquarter of the United Nations Observer Mission and the OAS Observer Mission."

Question: The Nicaraguan government said in the past that it would not accept a U.S. government delegation due to contra funding. Is it your understanding that there has been a change in the understanding between the U.S. and Nicaragua regarding funding of the contras that will allow this delegation to come?

President Carter: "We did not raise any question about funding. The only thing I can report to you is that the Sandinista leadership has agreed to approve in advance up to twelve members of the U.S. Congress without restrictions to join our group. I will be consulting with President Bush or his designees and leaders of the Congress to identify these additional members as soon as I return. Since we already have four members of Congress, we will be adding up to eight more; half Republicans and half Democrats."

Appendix 17: Agreement on the Release of Funds to UNO and IPCE

JIMMY CARTER

28 January 1990

It is agreed that the Institute for Electoral promotion and Training (IPCE) will work in harmony with the Supreme Electoral Council (SEC) to assure that activities and financial expenditures of IPCE will be compatible with Nicaraguan laws and electoral regulations as interpreted by the SEC. The SEC will assure compliance with this agreement.

\$\$Word\$\$

Appendix 18: February Pre-Election Trip Report

Report on Pre-Election Trip to Nicaragua
Observer Delegation

Council of Freely-Elected Heads of Government

February 8-11, 1990

Honorable George Price

Honorable Rodrigo Carazo

Senator Christopher Dodd

Honorable Donal (Mike) O'Callaghan

Ambassador Ambler Moss

Dr. Jennie Lincoln

Dr. Jennifer McCoy

SUMMARY REPORT OF FIFTH PRE-ELECTION VISIT TO NICARAGUA

February 8-11, 1990

I. Introduction

Five members of the Observer Delegation of the Council of Freely-Elected Heads of Government visited Nicaragua between February 8 and 11, 1990: Prime

Minister George Price of Belize, former Costa Rican President Rodrigo Carazo, U.S. Senator Christopher Dodd, former governor of Nevada Michael O'Callaghan, and Ambassador Ambler Moss. Dr. Jennie Lincoln, Associate Director of the Carter Center Latin American program and Dr. Jennifer McCoy, Director of the Managua Office, accompanied the delegation.

II. Activities

The delegation met with leaders and campaign officials of the major parties, government officials, the OAS and UN observer missions, the Supreme Electoral Council, the Regional Electoral Council of Managua and private sector leaders. The delegation witnessed a demonstration of the voting process, and part of the group witnessed the release of the prisoners and former National Guard members on Friday. (See attached itinerary)

On Saturday, Prime Minister Price and Governor O'Callaghan travelled to Puerto Cabezas to meet with local leaders of the FSLN and Yatama and with regional election officials. Senator Dodd and Ambassador Moss travelled to Boaco (Region V) and Masaya and Granada (Region IV) to see rallies of UNO and the FSLN. Each of the rallies was peaceful, with large and enthusiastic crowds. The delegation commended both the police and the organizers of the rallies for appropriate preparations, especially in Boaco where the prohibition on the sale of alcohol was strictly enforced until the rally was concluded.

III. Discussions and Conclusions

The delegation followed up on the issues and concerns raised during previous delegation visits.

Registration. The group was pleased to see that 14 additional JRV's were scheduled to open in Region VII (Puerto Cabezas) on February 11 to register some of those voters who could not register in October, but lamented that there remain nearly 50 JRV's that were not open for the complete registration in October and that have not been reopened to this date.

Media Access. The delegation learned that some progress had been made with regard to access to television Channel 6. Specifically, the format of the Elections 90 program featuring the political parties was changed to allow for actual debates three nights per week between two parties drawn by lottery. Also, parties are now allowed to purchase 30-second spots between 5:30-9:30 pm. However, additional purchased time on Channel 6, as requested by the UNO, has not been granted.

Use of public transport and facilities. The delegation asked for reports from the Supreme Electoral Council and the Regional Electoral Councils on the rent charged and the amounts paid by political parties, especially the FSLN, for use of public vehicles for campaign purposes. The delegation was told that the FSLN rents many private vehicles, and that the Electoral Councils had requested copies of receipts for the use of public vehicles. The delegation has not yet received this information.

The delegation also noted the continued display of party propaganda on public buildings and vehicles, particularly by the FSLN. The group also received complaints from the UNO about the defacing of party propaganda material such as billboards and the removal of party flags.

Registration list verification. UNO representatives explained that the verification of registration lists had been slowed due to the delay of funding through IPCE for this activity, the lack of alphabetical order of the lists, and computer inadequacies. Nevertheless, thus far no major problems have been detected with the lists, and UNO expects to have checked a sample of 10% of the names before the elections.

Fiscales. The delegation expressed in all of the meetings its view that the presence of fiscales (poll-watchers) on election day will be very important to ensure the integrity of the process. During the delegation's visit the SEC decided to extend again the deadline for naming of fiscales, with lists now due on February 16. The FSLN campaign manager reported that the party had named 100 percent of its fiscales. UNO representatives reported that they expected to name a complete roster of fiscales, but that they feared some may be subject to intimidation. The delegation expressed its views to both parties and government officials that while parties have the responsibility to secure their own pollwatchers to monitor the process, these pollwatchers should be free to perform their duties without fear of intimidation.

The delegation received reports of intimidation and harassment of party activists from the UNO, FSLN, and Yatama. UNO representatives noted a slight decline in intimidation since the previous delegation's visit, but expressed continued concern with intimidation of fiscales in particular. FSLN representatives repeated their concern about continued contra activity against FSLN activists and about potential contra disruption of the elections.

Election procedures. At the vote simulation, the delegation learned of another recent change in the size of the JRVs (polling places). JRVs with more than 200 registered voters will be split so that most JRVs will have an average of one mesa, or registration table and ballot box, for every 250 people, reduced from the original 400.

The delegation suggested that the parties take advantage of the presence of international observers to agree now to institutionalize electoral norms, such as a civil register, identification cards with photos, and norms for registration of parties.

Election day and results. The delegation heard concerns expressed by both major parties that their opponents would disrupt election day by mobilizing people in the streets or by announcing anticipated results before the polls close. The group raised this concern to the SEC and were told that the electoral law prohibits all campaigning after February 21 and that the SEC planned a public announcement to prevent clashes on election day.

In its final press statement, the delegation appealed to all Nicaraguans to maintain calm and patience on election day and night while awaiting the returns announced by the SEC.

The delegation also obtained a commitment from Violeta Chamorro and her campaign advisors that, despite the problems in the campaign process, she will respect the results of a certifiably clean election. The FSLN campaign manager, Bayardo Arce, also assured the delegation that the FSLN would accept the results of the election, and that a defeat would include delivery of the armed

forces since the new president would have the right to change the chief of staff immediately.

ITINERARY

February 8, 1990

Meeting with UNO presidential candidate Violeta Chamorro and advisors Antonio Lacayo, Alfredo César, Pedro Joaquín Chamorro

February 9, 1990

Meeting with UNO campaign officials: Edgar Quintana, Electoral Control, Hernaldo Zuñiga, Legal Representative, Guillermo Potoy, IPCE, Constantino Céspedes, Verification, and others

Attend release of prisoners, Tipitapa Prison

Meeting with UPANIC board of directors (private agri. producers)

Meeting with Jaime Wheelock, Ministry of Agrarian Reform

Visit and lunch at Chiltepe model dairy farm with Jaime Wheelock

Meeting with Supreme Electoral Council

Meeting with ONUVEN observer mission

Meeting with René Vivas, Vice Minister of Interior

Meeting with Bayardo Arce, FSLN campaign manager

Meeting with Costa Rican Ambassador Farid Ayala and U.S. Chargé, Jack Leonard

February 10, 1990

Team I: Visit to Puerto Cabezas

Team I: Meetings with FSLN and Yatama leaders and Regional Electoral

Team I: Council, Region VII

Team II: Attend UNO rally in Boaco and lunch with local UNO leaders

Team II: Attend UNO rally in Masaya and FSLN rally in Granada

February 11, 1990

Meeting with Regional Electoral Council, Managua, Region III

Attend vote demonstration

Meeting with OAS observer mission

Press conference

Appendix 19: Supreme Electoral Council Announcement of Election Results

February 19, 1990

EXCERPTS FROM THE SUPREME ELECTORAL COUNCIL RESOLUTION ON ANNOUNCEMENT OF ELECTION RESULTS

The Supreme Electoral Council of the Republic of Nicaragua in accordance with its responsibilities as established in Article 173 of the Constitution decrees:

- That the definitive count of the votes cast in the elections... as well as the definitive proclamation of the final results of the same, are the exclusive responsibility of the Supreme Electoral Council..., [and] the participants in the elections should respect the announced results.
- That for these elections, in compliance with the Political Constitution and the Electoral Law, this Council has organized a system of electoral

- guarantees that allow each citizen to be certain that his vote will be faithfully respected.
- That from midnight of the 21st of February, no one is allowed to campaign nor take part in partisan activities, and that the publication or announcement of electoral surveys is prohibited until 12:00am on the 26th of February 1990.
 - That during election day the formation of groups and campaigning in or around the voting locations, and any action of any nature that could impede or disturb the normal procedures of the elections will be prohibited.
 - That the vote count is the exclusive right of the polling locations and the votes should be counted in the same location with the assistance of auxiliary personnel and with the sole presence of poll-watchers and International Observers who are specifically authorized.
 - That political parties, alliances and associations are prohibited from celebrating victory during election day that ends at midnight, February 25, 1990.
 - That it is the obligation of the media to present true and responsible information, without using language that could incite violence.
 - That political parties, alliances and associations, their candidates and directors should respond publicly to this Resolution and should comply with these Resolutions and whatever other measures the Supreme Electoral Council declares in this permanent session from this date forward.

(The 19 of February, 1990, Mariano Fiallos Oyanguren, President; Rodolfo Sandino Arguello, Vice-President; Guillermo Selva Arguello, Magistrate; Leonel Arguello Ramirez, Magistrate, Aman Sandino Muñoz, Magistrate; Rosa Marina Zelaya Velasquez, Secretary.)

Appendix 20: Itinerary for Council's Election Visit
COUNCIL OF FREELY-ELECTED HEADS OF GOVERNMENT NICARAGUAN
ELECTION OBSERVATION

Schedule
February 23-26

Friday, February 23

Arrival Statement of Delegation by President Carter and Prime Minister George Price

Briefings at Olof Palme Conference Center

Briefings at Olof Palme Conference Center -Presentation of the Voting and Counting, Mariano Fiallos, President, Supreme Electoral Council

Briefings at Olof Palme Conference Center -How to Observe the Vote and Count-The Parallel Tabulations, Larry Garber, Senior Consultant for Electoral Processes, NDI

Briefings at Olof Palme Conference Center -The Council's Role - What We Do and Where, Robert Pastor and Jennifer McCoy

Briefings at Olof Palme Conference Center -UNO's Assessment of the Electoral Process, Violeta Barrios Chamorro and Antonio Lacayo
Briefings at Olof Palme Conference Center -FSLN's Assessment of the Electoral Process, Vice-President Sergio Ramirez and Bayardo Arce
Briefings at Olof Palme Conference Center -Observer Assessments of Electoral Process, Iqbal Riza, Chief of ONUVEN (UN Observers), Mario Gonzalez, Coordinator of OAS Mission
Reception with Other Observer Missions

Saturday, February 24

Meeting of Jimmy Carter, Elliot Richardson, Iqbal Riza, Joao Baena Soares, Mario Gonzalez, Robert Pastor
Press Conference with OAS, UN, and Council
Delegation Members depart for the regional observation assignments
Delegation Members depart for the regional observation assignments -meeting with regional election officials, local candidates and other observers

Managua Delegation Visits

OAS Headquarters
Cardinal Obando y Bravo
Antonio Lacayo and Alfredo César
Virgilio Godoy
Tómas Borge
President Daniel Ortega

Sunday, February 25

Observe Voting Sites (Juntas or JRV's)
Observe closing and count

Monday, February 26

Delegation Meeting at Olof Palme - Debriefings by regional teams
Compilation of Reports-Consultation with OAS and UN
Press Conference with OAS and UN

Appendix 21: Arrival Statements by Jimmy Carter and George Price

Translation
Original in Spanish

**ARRIVAL STATEMENT BY THE HON. JIMMY CARTER,
Chairman, Council of Freely-Elected Heads of Government
Managua, Nicaragua
February 23, 1990**

DELEGATION TO OBSERVE THE NICARAGUAN ELECTIONS

Thank you, Prime Minister George Price, for making that statement on behalf of all of us who are members of the Council of Freely-Elected Heads of Government and the rest of our delegation. Our delegation is international and bipartisan with twelve members of Congress from both parties in the United States, and leaders from the two major parties of Venezuela and Costa Rica. We come here at the invitation of the Nicaraguan government, the opposition, and the Supreme Electoral Council, and we arrive with profound respect and appreciation for Nicaragua's sovereign right to decide its own future. We have

come to support the people of this courageous country who want to vote and build a democracy.

We expect Sunday to be a festive day, and hope that everyone will vote and be confident that your vote will be secret and that your vote will count. We are here to make sure of that.

Tomorrow and Sunday, our delegation will work with the OAS and UN and travel to every region of the country. We will monitor every step of the process and do parallel tabulations of the vote to guarantee that the final results reflect the will of the people.

This is an historic moment for the people of this nation-an opportunity to choose your leaders and heal this dividend land. After Sunday, regardless of who wins, we hope that all of you will treat each other with tolerance and respect.

Sunday is your day. We will observe, but only Nicaraguans can vote. Choose well, and we will work to ensure that the results reflect your decisions and are respected.

To the people of Nicaragua, I want to say thank you for your hospitality and for giving me the opportunity to work with all of you-all ten parties-who have worked to build a new democratic Nicaragua. And finally, let me thank you for your patience in listening to me speak Spanish.

ARRIVAL STATEMENT BY THE HON. GEORGE PRICE, PRIME MINISTER OF BELIZE

Vice-Chairman, Council of Freely-Elected Heads of Government

Managua, Nicaragua

February 23, 1990

On behalf of the Council of Freely-Elected Heads of Government, of which I am Vice-Chairman, and at the request of its Chairman, former U.S. President Jimmy Carter, let me say that I am delighted to be here in Managua on this momentous occasion. No independent country has ever invited more foreigners to observe its election than has the government of Nicaragua. The leaders of the opposition have also invited us because they see our presence as a way to ensure the election will be free.

As a group of democratically-elected heads of government, we are partial to the democratic process in this country and around the world. But as international observers, we will be meticulously impartial with regard to the candidates and parties, and we will objectively assess the evidence before making a judgment as to the fairness of the campaign, the election, and the count.

Our delegation is international and multi-partisan with elected leaders or their representatives from both major parties in the United States, Costa Rica, and Venezuela.

We have done our homework. We have not arrived just for the election. Rather we have been trying to reinforce democracy by observing the electoral process since September. Our delegation has had six pre-election visits since then, and on each visit, the group has travelled outside of Managua - to the Atlantic Coast, to Granada, Leon, Matagalpa, Esteli, Jinotepe, Rivas, Boaco, Masaya. Most of the people on our delegation have been on at least one mission, and President Carter himself has been on three missions.

During the last six months, we have seen Nicaraguans of all political persuasions come forward to offer their message to the people, and this political process has been gratifying. Today, we will complete our preparations to observe the election, and tomorrow morning, former President Carter, Governor Dan Evans, and I will discuss the electoral campaign with OAS Secretary General Joao Baena Soares and Elliot Richardson, the Special Representative of the UN Secretary General. Then, we will offer our evaluation of the process. Sunday will be the day for Nicaraguans. We hope and expect them to vote in large numbers with confidence that their decision will be observed and respected.

Appendix 22: Joint Statement of the Council, the OAS, and the UN

February 24, 1990

DECLARATION OF THE SECRETARY GENERAL OF THE ORGANIZATION OF AMERICAN STATES, OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL OF THE UNITED NATIONS AND OF THE CHAIRMAN OF THE COUNCIL OF FREELY ELECTED HEADS OF GOVERNMENT

For more than six months, the three missions have observed the electoral process in Nicaragua. The missions believe that conditions exist in Nicaragua in which the people may freely express their choices on election day.

Tomorrow, the people of Nicaragua will participate in the secret act of voting. It is vital importance that the voting take place in peace and tranquility. It is also of the utmost importance that all Nicaraguans as well as the international community respect the results of the elections.

The personnel of the three missions will observe the election and verify the final results. Necessary precautions have been taken so that the election results will be verified with the utmost precision.

The electoral process has had difficulties and moments of tension and has not been free of irregularities. Fortunately, the majority of those problems have been resolved.

In conclusion, it is our unanimous point of view that the people of Nicaragua are in a position to elect the candidates of their choice and thus determine the composition of their future government. The three missions urge the political parties to agree to accept the results so that the national process of reconciliation may be based on mutual respect and tolerance.

Finally, they hope that the people of Nicaragua may vote in peace and campaign with OAS Secretary General Joao Baena Soawith the confidence that their decision about their future will be respected.

signed for their principals by:

Mario Gonzalez, Director of the OAS Mission

Iqbal Riza, Director of the UN Mission

Robert Pastor, Executive Secretary of the Council of Freely-Elected Heads of Government

Appendix 23: Election-Day Observation

NICARAGUA ELECTIONS OBSERVER DEPLOYMENTS

February 25, 1990

I. ESTELI

Council Representative:

Dr. Beatrice Rangel, (Venezuela)
Rep. William Richardson (D-NM)
Rep. Elton Gallegley (R-Cal)

Staff Coordinators:

Mr. Daniel Romero
Mr. Barry Sklar

II. LEON/CHINANDEGA

Council Member:

Hon. Raúl Alfonsín
Senator Christopher Dodd (D-Conn)
Rep. Douglas Bereuter (R-Neb)
Mrs. Elizabeth Frawley-Bagley

Staff Coordinators:

Mr. José Sandoval
Mr. Raúl Alconada
Mr. Robert Dockery

III. MANAGUA - three teams

Council Chairman:

Hon. Jimmy Carter

Council Vice Chairman:

Prime Minister George Price
Mrs. Rosalynn Carter
Hon. Daniel Evans, Co-Leader of the U.S. Group
Dr. Robert Pastor
Father Fernando Guardia
Mr. Genaro Arriagada

Staff Coordinators:

Dr. Robert Pastor
Dr. Jennifer McCoy
Mr. Santiago Canton
Mr. Eric Bord

IV. GRANADA

Council Member:

Hon. Rafael Caldera
Senator Claiborne Pell, (D-RI)
Rep. David Bonior (D-Mich)
Mr. Maurice Sonnenberg
Mrs. Harriet Babbitt

Staff Coordinators:

Dr. Jennie Lincoln
Mr. Luís Miguel Gonzalez
Mr. Geryld B. Christianson

V. CHONTALES/JUIGALPA

2 person team also visited IX RIO SAN JUAN - SAN CARLOS*

Council Member:

Hon. Rodrigo Carazo
Senator John Danforth (R-MO)
Rep. Olympia Snowe (R-ME)
Hon. Ambler Moss*

Staff Coordinators:

Ms. Nina Serafino
Mr. John Chambers*

VI. MATAGALPA

Council Member:

Hon. Rodrigo Oduber
Senator Larry Pressler (R-RD)
Hon. Bruce Babbitt
Hon. John Whitehead

Staff Coordinator:

Dr. Richard Millett

VII. NORTH ATLANTIC (PUERTO CABEZAS)

Hon. Donal (Mike) O'Callaghan
Rep. Ben Jones (D-Ga)

Staff Coordinator:

Ms. Janet Shenk

VIII. SOUTH ATLANTIC (BLUEFIELDS)

Council Representative:

Hon. O.D. Ramtallie (Jamaica)
Senator Patrick Leahy (D-Vermont)
Mr. Leopold Berlinger (Haiti)

Staff Coordinators:

Ms. Janice O'Connell
Mr. James Gallagher

JRV EVALUATION FORM

Observer Delegation
Council of Freely-Elected Heads of Government

Instructions: Please complete a new copy of this form for each separate visit to a JRV. [When finished, the form is to be given to the staff coordinator accompanying you on the trip.]

1. General Information

Region: ___ City: _____ JRV# _____ Time JRV Opened: _____

Time of Visit: _____ Number of Registrants: _____

Number That Have Already Voted (approx.): _____ Number Waiting in Line to Vote: _____

2. Presence of Fiscales

a) The following fiscales were present: (circle)

ESLN UNO OTHERS:(specify) _____

3. Presence of Electoral Police

Were electoral police INSIDE the JRV?	YES/NO	Armed?	YES/NO
Were electoral police OUTSIDE the JRV?	YES/NO	Armed?	YES/NO

4. Did you observe any irregularities concerning the following? If YES, please mark each with an "X" and explain on reverse side.

- ___ Election materials missing (registration lists, ballots, ballot boxes, indelible ink, number stamp/ printer, official telegram for CSE)
- ___ Problems with secrecy of vote
- ___ Campaigning or posting of campaign material near JRV
- ___ Interference with the ballot box
- ___ Absence of JRV officials other than fiscales
- ___ Other irregular activities (specify)

PARTICULARLY AT THE CLOSING:

- ___ Presence of fiscales
- ___ Interpretation of ballot markings (attribution to proper party)
- ___ Intimidation of any kind

CONCLUSIONS: Mark one with an "X" and explain on reverse if necessary

- ___ The JRV functioned normally
- ___ There were some minor irregularities, but they were not significant in terms of the result
- ___ There were significant problems which could potentially distort the result

Council Quick Count Form

RESULTADO DE LA VOTACION PRESIDENCIAL

DESCRIPCION	
NOMBRE DEL OBSERVADOR	_____
CODIGO DE JRV	_____
VOTOS	
DEPOSITADOS	_____
NULOS	_____
VALIDOS	_____
UNO	_____
PSOC	_____
PLIUN	_____
PRT	_____
FSLN	_____
MAP-ML	_____
PSC	_____
PUCA	_____
PCDN	_____
MUR	_____

Firma del Observador: _____ Grupo: _____

**Appendix 24: Statements by Ortega, Chamorro, and Bush
Excerpts From Address by Ortega**

Special to The New York Times

MANAGUA, Nicaragua, Feb. 26 - Following are excerpts from a speech this morning by President Daniel Ortega Saavedra of Nicaragua, as recorded and translated by The New York Times:

Friends of the national and international press:

The electoral process of historical proportions for the whole Nicaraguan people is coming to a close, during which we committed all our efforts and revolutionary convictions so that in Nicaragua everything would be better for all Nicaraguans.

The Sandinista National Liberation Front headed the struggle against the Somoza dictatorship. It lived the bitter moments of the fall of the dictator Somoza, the moments of pain when we lost a brother in combat, and we Sandinista militants learned to forge ourselves in the difficult moments facing adversity. With the Nicaraguan people we conquered the rights to freedom, independence, democracy and peace on July 19, 1979.

Years of Suffering

During those 10 hard and difficult years, cruel for the Nicaraguan people, the Sandinista Front with its revolutionary Government knew how to stay in the forefront of the defense of the interests of the people, in the forefront of the homeland, the national dignity, sovereignty, at the forefront of the struggle for Nicaraguan self-determination and of that struggle for peace.

Just as we succeeded in overthrowing Somozacism, we also defeated the counterrevolution, and also brought to trial before the world those who provided that policy of death against the Nicaraguan people, and in an act of historical transcendence for the people of the world, the World Court condemned the United States of America for its criminal acts against the people of Nicaragua and called on the United States of America to cease those acts and called on the United States of America to give indemnity to the Nicaraguan people....

We went to these elections of the 25th of February 1990 with the conviction that in this battle in the electoral field must be decided once and for all an end to the war, a little peace, stability and tranquillity for the Nicaraguan people.

That is the Sandinista Front, which with more political and historical force with the patriotic and flourishing Nicaraguan people has in these elections faced U.S. policy, the contras, the economic embargo, the economic erosion provoked by the war, with confidence in the people certain that the end of this electoral process would give all Nicaraguans that peace and that stability which we so need to reconstruct this country, to lift up the economy, to free well-being in the official areas, and aspire to a minimum of political stability....

World Is Watching

Never in the history of any independent country have elections been carried out that have been so well observed as that have these here in Nicaragua, with observers from the United Nations, the O.A.S., the Carter Center, observers from Europe, Latin America and other parts of the world.

Hundreds of journalists also covered and observed this electoral process, proving that the political will of the revolutionary Sandinistas have never been fixated on power; that we were born poor and we are satisfied to die poor because we carried out our efforts in these elections to emphasize this project which has become a challenge to the intelligence, the imagination, the creativity, of the people in the permanent struggle for their liberation, their independence their self-determination and for economic and social justice....

Respecting Mandate

I wish to express in my name, in that of my family, of my companion of my brothers in the National Directorate of the Sandinista Front, of my brother militant of the F.S.L.N., in the name of the heroic self-sacrificing, courageous, conscientious people who have participated in this electoral process and have

given their support to the F.S.L.N., I wish to say to all Nicaraguans and to all the peoples of the world that the President of Nicaragua and the Government of Nicaragua are going to respect and obey the popular mandate coming out of the vote in these elections.

In consider that in this historic moment, the principal contributions of the Sandinistas, the Nicaraguan revolutionaries, are making to the Nicaraguan people is that of guaranteeing a clean, pure electoral process, that it may heat up our consciences even more, that it may shine with the sun of this dawn, the 26th of February, in this 1990, that it may shine towards the consolidation of democracy, the consolidation of a mixed economy, toward the consolidation of a free, independent and democratic Nicaragua in peace without intervention by any foreign power where all of us Nicaraguans may be capable of demonstrating to the world that we can change these dreams, these hopes, into reality....

Thank you, Nicaraguan brothers. Thank you, brother militants of the F.S.L.N., thank you brother combatants of the Popular Sandinista Army and of the Ministry of the Interior who with your blood fertilized this labor defending the right of Nicaraguans to exercise their right to vote thanks to the blood of our heroes and martyrs, thanks to the pain full of hope of the mothers of Nicaragua thanks to every Nicaraguan brother.

I urge you today more than ever so that we may act firmly with the security that the steps we have taken are the correct steps, that we have been consistent with the proposals we have made, that if after all we have pledged so much sacrifice, so much effort during these years, that once again we Sandinistas will be victorious, once more we Sandinistas will be conquerors because we have changed our words into deeds in spite of all of the campaigns raised against this electoral process, in spite of all of the distrust that was intended to be generated around this electoral process in spite of the systematic actions of the counterrevolutionaries assassinating people during the electoral campaign....

We feel proud to be contributing to Nicaragua, `to be contributing to the peoples of Central America, Latin America and the Caribbean, to the peoples on the road to development, to be contributing in this unjust world divided between the strong and the weak, to be contributing a little bit of dignity, a little bit of democracy, a little bit of social justice from this small territory in Central America which saw the birth of men who made Nicaragua shine in the world as did Darío and Sandino.

Thank you, Nicaraguan; brothers, and go forward, go forward with our struggle and our battle cry which is the cry of Sandino - "Free fatherland or death."

Text of Victory Speech by the Nicaraguan Opposition Leader

Special to The New York Times

MANAGUA, Nicaragua, Feb. 26 - Following is a transcript of a victory speech this morning by Violeta Barrios de Chamorro, the Nicaraguan opposition leader, as recorded and translated by The New York Times:

Nicaraguans, Nicaraguans: after having heard about the first electoral results, I would like to tell you that I am certain that this constituency's tendency in favor of UNO is irreversible and will be getting broader as we keep learning the results from the rest of the country; that this margin in favor of UNO is identical for the three electoral ballots; that as long as the counting of the Supreme Electoral

Council goes on, I ask my Nicaraguan people to be calm and abstain from displaying any signs of victory

I want to congratulate all Nicaraguans because today it is everyone's triumph. We have shown the world an example of civic duty, demonstrating that we Nicaraguans want to live in democracy, want to live in peace and, above all, that we want to live in liberty.

We have obtained the first democratic election in the history of this country. I confess that I feel very emotional at such an important moment for Nicaragua. Now I will honor my commitment to achieve national reconciliation because this is the only way we will be able to have peace and economic well-being.

This is the first election in our history won by the opposition, and, God willing, a change of Government will come about peacefully.

This is an election that will never have exiles or political prisoners or confiscations. Here, we have neither victors nor vanquished. I ratified today my commitment to comply faithfully to the plan of government of the National Opposition Union, which is a program for national salvation.

From the day I agreed to be UNO's candidate, I knew that the Nicaraguan people, given a fair election as we have had today, would vote to establish a democratic republic like the one dreamt of by my husband Pedro Joaquín.

I want to say to you that today we must all congratulate each other with a fraternal embrace because Nicaragua will again be a republic.

Bush's Remarks on Nicaragua

WASHINGTON, Feb. 26 (AP) - Following is a transcript of President Bush's remarks today on the election in Nicaragua, as recorded by The Associated Press. The President spoke at a meeting of the National Governors' Association. Any friend of democracy can take heart in the fact that Violeta Chamorro won the election. And the election process, by all accounts free and fair, is a credit to the people of Nicaragua, who chose to determine their nation's future, nation's future at the ballot box. And that is a victory for democracy.

Yesterday's election moves us one step closer to the day when every nation in this hemisphere is a democracy, and I'll soon send messages - I think they may have already gone out to - to Mrs. Chamorro, congratulating her on her victory; to President Ortega, congratulating him on the conduct of the election and on his pledge to stand by its results; to President Carter and his counterpart on that one, Dan Evans; to Mr. Soares of the O.A.S.; to Pérez de Cuéllar and Elliot Richardson of the United Nations for their leading roles in observing the elections.

In the next few days, I'll be speaking with Central and South American leaders. This morning I talked to President Carlos Andrés Pérez of Venezuela about appropriate trade and economic measures that we can take to support the new Government of Nicaragua.

We hope now for a peaceful transition, for the institutionalization of the democratic process in Nicaragua, and there is space in a democratic Nicaragua for all political points of view.

Given a clear mandate for peace and democracy, there is no reason at all for further military activity from any quarter, and we hope the ceasefire will be re-established without delay and respected by all sides.

"There is no reason at all for further military activity from any quarter," said President Bush, who called Nicaragua's election a "mandate for peace." For years the people of Nicaragua have suffered, and today the people of Nicaragua have spoken. And now is the time for Nicaragua to move forward to freedom.

Appendix 25: List of Members of the Legislative Assembly

NICARAGUA - Elected Officials 1990

President of the Republic: Violeta Barrios de Chamorro

Vice-President of the Republic: Virgilio Godoy Reyes

Representatives of the National Assembly
by Region and Party Alliance

Legislators

Region I

UNO

Victor Manuel Talavera Huete
Magdalena Ubeda de Rodríguez
Luis Sánchez Sancho
José Cáceres Vásquez

FSLN

José Francisco Rivera Quintero
Carlos Manuel Morales Fonseca
Orlando Pineda López
Ramón Gámez Rodríguez
Orlando Benavidez Castillo

Region II

UNO

Duilio Baltodano Mayorga
Cairo Manuel Lopez Sánchez
Alfredo Zacarías Hernández
Adán Morales Hernández
Adolfo García Esquivel
Francisco José Duarte Tapia
Nicasio Zeledón Zeledón
Anibal Martínez Nuñez

FSLN

Omar Cabezas Lacayo
David Blanco Nuñez
Alonso Porras Diaz
Gladys Báez Alvarez
Raúl Venerio Granera
María Teresa Delgado Martínez
Marcia Quezada Abarca

Region III

UNO

Alfredo César Aguirre
Elf Altamirano Pérez
Jaime José Bonilla López
Miriam Arguello Morales
Luis Humberto Guzmán Aréas
Adán Fletes Vaile
Roberto José Urroz Castillo
Alejandro Pérez Arévalo
Edmundo Castillo Ramírez
Rodolfo Mejía Ubillá
Alejandro César Fernández
Adolfo José Jarquín Ortel
Guillermo Chavarría Loredó
Andrés A. Robles Pérez

FSLN

Carlos Nuñez Téllez
Dora María Téllez
Leticia Herrera Sánchez
Mauricio Bernardo Valenzuela
Nathán Jorge Sevilla Gómez
Dámaso Vargas Loalíaga
Domingo Sánchez Salgado
Reynaldo A. Téllez Velez
Edmundo Jarquín Calderán
María Ramírez Guerrero

Region IV

UNO

Agapito Fernández García
Francisco Anzcátegui Lacayo
Iván S. Madriz Aguilar
Hernaldo Zuñiga Montenegro
Roberto Antonio Moreno Cajina
Julia de la Cruz Mena River
Nicolás Brenes Rojas
Saturnino de los Santos Tijerino J.

FSLN

William Ramírez García
Herty Lewites Rodríguez
Julio Humberto Marengo
Fernando Ignacio Silva E.
José León Talavera Salinas
Rogelio Ramírez Mercado

Region V

UNO

Gustavo E. Tablada Zelaya
Luisa del Carmen Larios Mora
Humberto Castillo Matamoros
Fernando Zelaya Rojas
Fidelina Rojas de Cerda
Delvia Montiel Díaz
Nardo Rafael Sequeira Báez
Ubaldo Ríos Díaz

FSLN

Daniel Nuñez Rodríguez
Luis Enrique Figueroa Aguilar

Region VI

UNO

Eduardo Paladino Cabrera
Azucena Ferrey Echaverry
Jaime Cuadra Somarrriba
*(Dr. Yudat William Frech Frech)
Rafael Treminio Treminio
Daniel Blandón Gades
Hernaldo González Membreño
José Enrique Siles Castro

FSLN

Doris Tijerino Haslam
Carlos José Zamora Herrera
Benigna Mendiola Sequeira
Orlando Rizo Espinoza

Region VII

UNO

Daniel Edwin Tate Jerry

FSLN

Mirna Cunningham Kain

PSC

Alfonso Smith Warman

Region VII

UNO

Alvin Leonard Cutrie Rivers

FSLN

Ray Hooker Taylor

Appendix 26: Transcript of Remarks by Jimmy Carter and Department of State

DEPARTURE REMARKS BY THE HONORABLE JIMMY CARTER DEPARTMENT OF STATE WASHINGTON, D.C. FEBRUARY 28, 1990

QUESTION: Any problems with the Sandinistas giving up military power and the Contras relinquishing their arms as well?

MR. CARTER: No, I've had long meeting with the Sandinista leaders, including Humberto Ortega, the President's brother and the Minister of Defense, and also the leaders representing UNO and the transition. They're working harmoniously. The concerns of the Sandinistas are both understood and approved by the UNO leaders.

The key unresolved factor is what's going to happen to the Contras. I don't think that there is going to be a guarantee of an orderly transition as long as the Contras are a military force threatening the country. But Dona Violeta Chamorro and Daniel Ortega have both made identical statements now, calling for the Contras to demobilize immediately in accordance with the agreements reached by the Central American Presidents and for funding of the Contras to be used for repatriation and resettlement.

At the same time, it's very important to honor the concerns of the Contras. They have to be sure that when they go back to Nicaragua, they will be protected. So I don't see a problem at all; there's no incompatibility between them now.

QUESTION: How is it going to work itself out? The Contras, won't lay down their arms until they see the transfer of power and the Sandinistas say they won't transfer power unless the Contras lay down their arms?

MR. CARTER: The Sandinistas haven't said anything like that. I've known every single statement exactly word-for-word that the Sandinista leaders have said since the election and they haven't said anything like that. They realize that by April 25 there will still be a number of Contras-nobody knows how many-who will not have laid down their arms. The point is, will the UNO leaders and the Sandinistas work in harmony to make sure that the Contras will come back to Nicaragua-those who want to come back-in a peaceful way, without their arms-when they come back into the country? And will the United States cooperate with this, in accordance with the agreements the Central American governments have worked out? I can understand that the Contras are concerned. They need to be sure that when they do come back to Nicaragua, they'll be treated fairly and that their safety will be preserved. That's being worked out now in a very harmonious way.

QUESTION: You said one of the elements is whether the United States will support that type of arrangement. Now that you've spoken to the Secretary, what is your impression? Does the U.S. share your formula for a peaceful transition?

MR. CARTER: Well, the Secretary of State can speak for himself, but after going over the transcript of his testimony yesterday to the Congress, I think I could answer your question in the affirmative. Their basic commitment at the State

Department, as expressed by the Secretary to the Congress, is compatible with what I've just described-which is an identical approach between Violeta Chamorro on the one hand and Daniel Ortega on the other concerning the Contras. And everybody must realize the Contras have legitimate concerns which must be met.

QUESTION: Mr. Carter, did you bring any message to the Secretary from Nicaragua?

MR. CARTER: I brought a report to the Secretary from Nicaragua. I've been down there a lot of days, I've met with all the people. I know what's going on as well as anybody could from the outside, and I gave the Secretary of State a report on what my impressions were.

QUESTION: Have you received assurances from Humberto Ortega that the government control of the army will be transferred to the UNO government?

MR. CARTER: Yes, there's no equivocation about that anyway, including statements by Humberto privately and by Daniel Ortega publicly. They acknowledge the results of the election. They honor the fact that Violeta Chamorro is the President-elect and they will recognize her not only as President, but as Commander-in-Chief of the military forces. And along with that is her right to choose her own ministers, including the minister of defense and of the interior.

QUESTION: So the Ortegas do not tie that issue of turning over control of the Nicaraguan Army to Chamorro-they don't tie that issue at all to the Contra issue, or do they?

MR. CARTER: They tie it to the Contra issue, but not to the fact that the Contras have to demobilize. It's just a matter of them working out harmoniously the procedure by which the Contras will come back to the country. I think that's very important, because if you have an army on the edge and in your country that still threatens military action, that's obviously a very destabilizing factor. But I don't think there's any disharmony between the Sandinistas and UNO about how this should be handled. My assessment is, based on his testimony, that the Secretary of State agrees with this.

U.S. Department of State
Office of the Assistant Secretary/Spokesman
March 2, 1990

STATEMENT BY MARGARET TUTWILER/SPOKESWOMAN

Now that a good election has been completed and a clear decision made by the citizens of Nicaragua, it is time to reconcile differences and to avoid any further conflicts or military threats. The re-imposition of a cease fire is a significant step in this healing process.

The transition teams of President Daniel Ortega and President-elect Violeta Chamorro have already begun constructive talks, addressing important issues that are of deep concern to both sides. The two leaders have made clear and compatible statements about the future of the Nicaraguan Resistance Forces, calling for implementation of the unanimous decisions of the Central American Presidents, in particular the Tela Agreement.

The United States Government is also convinced that immediate steps should be taken to encourage demobilization and repatriation of the Resistance Forces.

This is compatible with the bi-partisan accord reached between the President and the Congress early last year. Full assurances must be given to the Nicaraguan Resistance about their safety, proper economic security, and re-incorporation without discrimination into the Nicaraguan society. It is important that their legitimate needs be met, and that a mechanism be established to verify that they are, as required by both the Esquipulas and Tela Accords.

It is equally important that the full and unequivocal transfer of civil and military power go forward peacefully and in an orderly manner to Mrs. Chamorro's new government and that her campaign platform be respected.

As Secretary Baker said to the Senate Budget Committee Wednesday: "As a result of the years of distrust and the years of warfare, there are legitimate fears on both sides that should be addressed. We are confident that those fears will be addressed... What I think both sides want to avoid is a standoff with each side demanding that the other go first."

To help move this process along the State Department has sent Ambassador Harry Schlaudeman, a consultant to the Department who works with the Resistance, to Honduras to meet with them and discuss these questions. In addition Wednesday, Assistant Secretary Aronson met with Alvaro de Soto, Personal Representative of the Secretary General for the Central American Peace Process, to discuss the role of the United Nations. We understand also that Mrs. Chamorro will be sending a personal representative to meet with the Resistance leadership.

The Central American Presidents have worked to establish an international agency known as CIAV (International Commission for Support and Verification), under the leadership of the United Nations and the Organization of American States. These two organizations have demonstrated their effectiveness in working together to fulfill difficult missions by their superb performance as observers in the recent Nicaraguan election. The Central American Presidents have endorsed CIAV as the agency for monitoring demobilization and the distribution of rehabilitation funds to the Resistance Forces. As we have made clear in the past, the United States is willing to assist in providing funds for this purpose.

Appendix 27: Protocol of Transition Between Outgoing and Incoming Administrations

TEXT OF THE PROTOCOL SIGNED MARCH 27, 1990 IN NICARAGUA REPRESENTATIVES OF THE OUTGOING SANDINISTA GOVERNMENT AND THE INCOMING ADMINISTRATION OF VIOLETA BARRIOS DE CHAMORRO

The transition team designated by the President of the Republic of Nicaragua, Daniel Ortega Saavedra, which is headed by General Humberto Ortega Saavedra and includes Commander Jaime Wheelock Roman and Major General Joaquin Cuadra Lacayo, and the transition team designated by President-elect Mrs. Violeta Barrios de Chamorro, which is headed by Mr. Antonio Lacayo Oyanguren and includes Carlos Hurtado Cabrera and Luis Sanchez Sancho, have arrived at the following agreement:

PROCEDURAL PROTOCOL FOR THE TRANSFER OF THE EXECUTIVE POWER OF THE REPUBLIC OF NICARAGUA:

I. General Considerations

1. It is the consensus of the two teams that the results of the clean and honest general elections held on February 25, 1990, must serve to strengthen the democratic process in Nicaragua and to achieve a just and lasting peace which will protect all Nicaraguans without political distinction.
2. That, therefore, a solid base must be established for the reconciliation, internal harmony and stability of the Nation in all their aspects, in order to generate confidence and security for all Nicaraguans.
3. That unified action to consolidate lasting peace and stability is also a necessary, indispensable condition for the economic reconstruction of the country.
4. All undertakings must be based on national recognition of popular achievements and transformations to date and on full legal respect for the Constitution of Nicaragua and the Laws of the Republic.

II. Stipulations for the Transfer

1. Implementation of the Toncontin Agreement signed on March 23, 1990, in Tegucigalpa, Honduras, for the demobilization of the Resistance forces before April 25, 1990, which constitutes an essential element for creating the climate of peace, stability and tranquility necessary for the transfer of government.
2. The Defense and Public Order forces of the Nation will be subordinated to the civilian power of the President of the Republic in accordance with the Constitution and the Laws of the Republic. Their characteristics and size will be revised in relation to the economic capacity and social needs of the country in keeping with the Contadora and Regional Peace Accords.

The Armed Forces will have a professional character and will not belong to any political party. Its members in active service will not be able to hold leadership positions in political parties. Political campaigning within the Armed Forces will be permitted only within the framework of the country's Electoral Law.

Respect for the integrity and professionalism of the Sandinista Popular Army (EPS) and the forces of public order, as well as for their ranks, chain of command and specific duties, in accordance to the Constitution and the Laws of the Republic, in itself constitutes the fundamental basis for the orderly transfer of government.

3. Similarly, as an essential part of the process of democratic consolidation, the integrity and independence of the Branches of

Government must be strengthened within the proper application of the Constitution of the Laws.

4. There is agreement on the need to provide peace of mind and legal security to those Nicaraguan families who have received the benefit of urban or rural property through State assignment before February 25, 1990, reconciling this with legitimate legal property rights of other Nicaraguans, all procedures to be conducted within the framework of the Law. Adequate forms of compensation will be established for those who have suffered any damage.
5. The orderly transfer of the Executive Power must take place within a framework of mutual security and trust wherein any act of vindictiveness, reprisal or revenge will not have a place, and in a climate of respect for people's physical and moral integrity. In this respect, both transition teams support the initiatives of the public authorities to create a climate of National Reconciliation and Amnesty in benefit of the Nicaraguan family, and express the need to assure that arms and combat equipment are only in the hands of the armed institutions of the Republic.

It is also understood that existing associations and labor and community organizations in the country will enjoy the guarantees established by the Constitution and the Law.

Similarly, monuments dedicated to Heroes and Martyrs who fell in the struggle against Somociso and in defense of the Homeland will be respected.

6. The guarantee of job stability for government officeholders -- based on efficiency, administrative honesty and years of service -- is also supported by both transition teams.
7. Both teams agree they should join forces to obtain international resources during the transition stage in order to promote stability and economic growth.

The basis for the transference of power enumerated above constitute, in general, the outgrowth of coinciding opinions expressed by the heads of both teams at a February 27, 1990, meeting held in the presence of the Secretary General of the Organization of American States, Mr. Joao Baena Soares, Mr. Elliot Richardson as personal representative of the Secretary General of the United Nations, and Former President Jimmy Carter of the United States.

Appendix 28: Letters from Jimmy Carter to Violeta Chamorro and Daniel Ortega

April 25, 1990

To President Violeta Barrios de Chamorro

Today you fulfill a dream that all Nicaraguans have shared since your country's independence. The dream is of peaceful change - that the Presidency of Nicaragua would be transferred in a peaceful ceremony in which the loser was an incumbent and the winner offered reconciliation to him and to all Nicaraguans.

I am very proud of how Daniel Ortega and you have managed this very difficult transition, and I want you to know that my friendship for you and for all the people of Nicaragua is very dear to me. I regret that I can not be with you for the ceremony, but you know that I am there in spirit, and I would return in a moment if Nicaragua's democracy were in jeopardy, and you thought my presence would help.

The transition toward a consolidated democracy will take, time, patience, and mutual respect. You have a special understanding of the need to heal the divisions in your nation, and that will guide you in the days ahead. If I can help in anyway, please do not hesitate to call on me.

You justly enjoy the support of your nation and the entire democratic world. Congratulations to you and to your country for a wonderful victory. May democracy in Nicaragua flourish, and may your Administration succeed in bringing prosperity, justice, and happiness to your people.

Sincerely,

President Violeta Barrios de Chamorro

President of Nicaragua

Managua, Nicaragua

April 25, 1990

To the Honorable Daniel Ortega

This is a very important day for you and Nicaragua. Today, for the first time in your nation's history, an incumbent President will peacefully hand the Presidential sash to the leader of the opposition. You deserve the democratic world's congratulations for the way you have handled this difficult task, and I personally wanted to write to you to say how proud I am of your statesmanship.

I regret that I could not be there for the ceremony, but you know that my best wishes are with you and your country. Your role is in many ways a more difficult one now than when you were President. To help build democracy, President Violeta Barrios de Chamorro will need your help and your patience. I know that pressures from within your party will sometimes encourage you to be partisan and to make more difficult her job, but I hope that you will resist those pressures and continually offer your hand to help her build the democratic, just, and prosperous nation for which you have already worked so hard.

I also want to congratulate you for joining a select club, which I also joined against my preference. Today, you become a former President. It is an honorable group.

One of the most rewarding experiences for me in the last eight months was to become your friend. Now that you have more time, I hope you will remain good friends and come visit me in Atlanta. I would like to take you to a baseball game.

Sincerely,

The Honorable Daniel Ortega Saavedra

Former President of Nicaragua

Managua, Nicaragua

Appendix 29: Excerpts from Inaugural Address of Violeta Chamorro

EXCERPTS FROM THE INAUGURAL ADDRESS OF PRESIDENT DONA VIOLETA BARRIOS DE CHAMORRO

APRIL 25, 1990

Today marks the dawn of the Nicaraguan Republic that was born from the people's vote ... not from shouts and bullets... For 100 years we have wished for this democratic republic where we could all be free and equal before the law... Some died for this dream. Others endured prison and exile for it. My husband, Pedro Joaquin Chamorro Cardenal, gave his life for this Republic.

This is the blue and white Nicaragua, without tyrants and without ideologies that destroyed its realities ... This is the blessed Nicaragua that instead of burying children in fratricidal wars will bury arms forever so the voice of cannons will never roar again.

There is no sovereignty without freedom ... However, freedom also means respect ...for the rights of others, for the law, for the property of others, for other people's feelings and opinions...

I am here because the majority of the people wanted that ... I ask and demand that you support me ... in these four main tasks: First, consolidate democratic liberties; second, promote economic production to a maximum potential; third, reduce social inequality; and fourth, instill in all our actions the spirit of reconciliation.

I demand the greatest responsibility for the men who will represent the armed branch and the police...I am going to grant broad and unconditional amnesty for all common political crimes and related crimes committed by Nicaraguan individuals as of this date...

While the demobilization of the resistance forces ... is completed, as well as the demobilization of youths in the military service and recovery of weapons in the hands of civilians, I have instructed Army General Humberto Ortega to remain at his post. At the same time, Gen. Ortega must establish an orderly program of reduction of the Armed Forces and must guarantee subordination of the military to civilian authorities with respect for constitutional order.

It is the second task of my government to maximally boost economic production. I count on the great enterprise and business spirit of my people, in all classes...to correct the unjust actions that have taken place in the name of the people. I am sending the Legislative Assembly a number of laws that will allow revision of land confiscations ... I want to guarantee here, however, that properties assigned to cooperatives and peasants as part of the agrarian reform will be respected...

...We will also eliminate all controls and regulations that hindered and stagnated economic production and creativity. The farm owner will be able to decide what he is going to produce and to whom he will sell it... Workers will be free to organize themselves and work whenever they wish... Businessmen will be free to choose in which activity they want to invest and what risk they want to take in their businesses. Youths will be free to study or freely choose their occupation, instead of being obliged to take up the terrible occupation of war.

The third task of my government is to reduce social inequalities... The Sandinista Defense Committees sought the political control of the people by frightening them with espionage and pressures. We must change this, and we must give new life to community spirit...

The fourth task is to have the spirit of reconciliation present in all of our actions ...

I have chosen the members of my Cabinet with the firm purpose of ... guaranteeing the reconciliation that our country urgently needs...

At this moment I want to pay homage to a great Central American who designed the peace plan, who changed war... to peace... Costa Rican Oscar Arias Sanchez.

I am the first woman to receive the Nicaraguan people's mandate to preside over a government. This an immense responsibility but I count on my people and I ask God to help me ... Nicaraguans, I am your president. I do not want to rule. I want to serve.

BIBLIOGRAPHY

*Nicaragua, Election Observer's Reports, Democracy
Nicaragua*

Black, George. *Triumph of the People: the Sandinista Revolution in Nicaragua*. London: Zed Press, 1981.

Booth, John A. *End and the Beginning: The Nicaraguan Revolution*. Boulder, Colorado: Westview Press, 1985.

Christian, Shirley. *Nicaragua: Revolution in the Family*. New York: Random House, 1985.

Colburn, Forrest D. *Post-Revolutionary Nicaragua: State, Class and the Dilemmas of Agrarian Policy*. Berkeley: University of California Press, 1986.

Dickey, Christopher. *With the Contras*. New York: Simon and Schuster, 1986.

Diederich, Bernard. *Somoza*. New York: E.P. Dutton, 1981.

Edmisten, Patricia Taylor. *Nicaragua Divided: La Prensa and the Chamorro Legacy*. Pensacola: University of West Florida Press, 1990.

Gilbert, Dennis. *Sandinistas: The Party and the Revolution*. New York, N.Y.: B. Blackwell, 1988.

Gutman, Roy. *Banana Diplomacy: The Making of American Foreign Policy in Nicaragua*. New York: Simon & Schuster, 1988.

Lake, Anthony. *Somoza Falling*. Boston: Houghton Mifflin, 1989.

Macaulay, Neill. *The Sandino Affair*. Chicago: Quadrangle Books, 1967.

Millett, Richard. *Guardians of the Dynasty: a History of the U.S.-Created Guardia Nacional de Nicaragua and the Somoza Family*. Maryknoll, N.Y.: Orbis Books, 1977.

Nolan, David. *The Ideology of the Sandinistas and the Nicaraguan Revolution*. Coral Gables, FL: University of Miami, Institute of Inter-American Studies, 1984.

Pastor, Robert A. *Condemned to Repetition: The United States and Nicaragua*. Princeton: Princeton University Press, 1987.

Somoza Debayle, Anastasio and Jack Cox. *Nicaragua Betrayed*. Boston: Western Islands Press, 1980.

Valenta, Jiri. *Conflict in Nicaragua: a Multidimensional Perspective*. Boston, MA: Allen and Unwin, 1987.

Walker, Thomas W. (ed.). *Nicaragua: The First Five Years*. New York: Praeger, 1985.

Walker, Thomas W. *Reagan versus the Sandinistas: The Undeclared War on Nicaragua*. Boulder, Colorado: Westview Press, 1987.

Woodward, Ralph Lee Jr. *Central America: A Nation Divided*. New York: Oxford University Press, 1976.

Nicaraguan Election Observer Reports

Council of Freely-Elected Heads of Government, Carter Center of Emory University *Pre-Election Visits to Nicaragua*, five preliminary reports

Freedom House, *The Nicaraguan Elections: The Challenge of Democracy*, April 20, 1989 and follow-up reports

Hemisphere Initiatives, *Establishing the Ground Rules: A Report on the Nicaraguan Electoral Process*, August 1989 and follow-up reports

International Human Rights Law Group, *Report on the February 25, 1990 Nicaraguan Elections*, February 1990

Latin American Studies Association, *Interim Report*, *LASA Forum* Vol. 20, No. 4 (Winter 1990); and *Electoral Democracy Under International Pressure: The*

Report of the Latin American Studies Association Commission to Observe the 1990 Elections, March 15, 1990

Organization of American States, four pre-election reports and one election report

Puebla Institute, *Nicaraguan Election Report* March 20, 1990

The Ad Hoc Coalition of United States Sister Cities for Election Observation in Nicaragua, *Mi Voto Es Secreto, The Nicaraguan Elections of February 25, 1990*, March 12, 1990

United Nations, *Report to the Secretary-General by the United Nations Observer Mission to Verify the Electoral Process in Nicaragua*, five election reports

Washington Office on Latin America, "Nicaragua Election Monitor" (monthly newsletter).

Democracy and Election-Observing

Baloyra, Enrique. *Comparing New Democracies: Transition and Consolidation in Mediterranean Europe and the Southern Cone*. Boulder: Westview Press, 1987.

Dahl, Robert A. *Polyarchy: Participation and Opposition*. New Haven: Yale University Press, 1971.

Diamond, Larry. Juan J. Linz, and Seymour Martin Lipset, eds. *Democracy in Developing Countries*. Four vols. Boulder, Colo.: Lynne Rienner Publishers, 1988 and 1989.

Diamond, Larry. "Beyond Authoritarianism and Totalitarianism: Strategies for Democratization." *Washington Quarterly* (Winter 1989): 141-160.

Garber, Larry. The International Human Rights Law Group, *Guidelines for International Election Observing*. Washington, D.C.: McGregor and Werner, Inc. 1984.

Huntington, Samuel P. "Will More Countries Become Democratic?" *Political Science Quarterly* 99 (Summer 1984): 193-218.

McCoy, Jennifer. "The State and the Democratic Compromise in Venezuela" *Journal of Developing Societies* 4:1 (1988): 85-104.

National Democratic Institute, *The Panamanian Elections: Pre-Election Report based on the Conclusions of an International Delegation, March 1989*.

National Democratic Institute & National Republican Institute, *The Panamanian Elections of May 7, 1990: International Delegation Report*, 1989.

Pastor, Robert, ed. *Democracy in the Americas: Stopping the Pendulum*. New York: Holmes and Meier, 1989.

Pastor, Robert. "Securing a Democratic Hemisphere," *Foreign Policy* 73 (Winter 1988-89): 41-59.

Peeler, John A. *Latin American Democracies*. Chapel Hill: University of North Carolina Press, 1985.

Valenzuela, Arturo. *The Breakdown of Democratic Regimes: Chile*. Baltimore: John Hopkins University Press, 1978.

NICARAGUAN ELECTION PRESS CLIPPINGS

"Carter, at Sandinista's Urging, Will Monitor Nicaragua Vote" *The New York Times*, August 9, 1989

"Anti-Sandinistas Foresee a Coalition" by Stephen Kinzer, *The New York Times*, September 10, 1989

"Carter Coaxing Nicaragua on Free Elections" *Atlanta Journal-Constitution*, September 17, 1989
"Indians Cheer Carter Message in Nicaragua" by Deborah Scroggins, *Atlanta Journal-Constitution*, September 19, 1989
"Carter Asserts the Sandinistas Try to Smear the Opposition" *The New York Times*, November 15, 1989
"Nicaragua's Elections Back on Track, Carter Reports after Fact-finding Trip" by Elizabeth Kurylo, *Atlanta Journal-Constitution*, December 20, 1989
"Carter Lauds Managua on Procedures for Election" by Mark Uhlig, *The New York Times*, January 30, 1990
"Monitors Flood Nicaragua to Ensure Fair Vote" by Elizabeth Kurylo, *Atlanta Journal-Constitution*, February 24, 1990
"Carter Sympathizes with Ortega, Recalling his Own 1980 Loss" by Elizabeth Kurylo, *Atlanta Journal-Constitution*, February 27, 1990
"Carter Played Pivotal Role in Hours After Polls Closed" by Lee Hockstader, *The Washington Post*, February 27, 1990
"Chamorro Elected" by Mark Uhlig, *The New York Times*, February 27, 1990
"Sandinista Leaders, Facing Defeat, Didn't Argue, Carter Says" by Mark Uhlig, *The New York Times*, February 28, 1990
"Stunned Sandinistas Seek to Define Their New Role" by Larry Rohter, *The New York Times*, March 1, 1990
"Bush Seeks Soviet Help in Nicaragua Transition" by Robert Pear, *The New York Times*, March 1, 1990

August 9, 1989

Carter, at Sandinista's Urging, Will Monitor Nicaragua Vote

Special to The New York Times

ATLANTA, Aug. 8 - Former President Jimmy Carter agreed today to lead an international delegation to monitor elections next February in Nicaragua. Mr. Carter, who was a leader of a group monitoring Panama's elections in May, confirmed by letter today that he would accept a series of invitations sent by the Nicaraguan Government and opposition leaders to monitor the campaign and the election itself.

In a letter sent Thursday to Mr. Carter and made public here today, President Daniel Ortega Saavedra said: "We encourage you to come to Nicaragua as many times as you can during the electoral process, to observe all aspects of the process, and to meet with the members of the Supreme Electoral Council, the political parties and the Government. You will have unrestricted access to all aspects of the process."

In this letter today responding to Mr. Ortega's invitation, Mr. Carter promised he would "work to insure that the results of a free and fair election in Nicaragua will be respected in the United States and the rest of the world regardless of who wins or loses."

Other Letters Made Public

Also made public today were the texts of letters sent to Mr. Carter by the president of Nicaragua's Supreme Electoral Council, Mariano Fiallos Oyanguren,

and by an official of the National Opposition Union, Gustavo Tablada Zelaya. The union will field candidates opposed to Mr. Ortega and the Sandinistas.

Mr. Carter and former President Gerald R. Ford served as observers of elections in Panama last May under the auspices of the Council of Freely Elected Heads of Government, a group of 15 current and former presidents and prime ministers of countries in the Western Hemisphere.

The same group, which was formed after a meeting two years ago at the Carter Presidential Center in Atlanta, will act as the sponsoring organization for the observer team in Nicaragua.

In addition to Mr. Carter and Mr. Ford, the council includes President Carlos Andrés Pérez of Venezuela, Prime Minister Michael N. Manley of Jamaica and Prime Minister Lloyd Erskine Sandiford of Barbados.

Mr. Carter said in his letter that "a senior international delegation" of about 20 people will be assembled to monitor the elections. Members of the delegation will be encouraged to make at least one visit to Nicaragua before the election, Mr. Carter said. In addition, he said, the Council of Freely Elected Heads of Government will place full-time staff members in Nicaragua to monitor the campaign continuously.

Others Are Invited

Mr. Ortega had previously invited officials of the United Nations and the Organization of American States to observe the Nicaraguan elections.

Penny Circle, chief of staff for Mr. Ford, said today that he had no plans at present to take part in the Nicaraguan election monitoring. "There has been no talk about it at all in this office," she said.

Robert Pastor, director of Latin American Programs at the Carter Presidential Center and a former White House aide to Mr. Carter, said the early invitation from Mr. Ortega should allow the observer team to have more effect on the Nicaraguan elections than was possible in Panama under Gen. Manuel Antonio Noriega.

Mr. Carter denounced the elections in Panama as fraudulent only hours after the polls closed.

"Being invited at this stage will make all the difference in the world," Mr. Pastor said.

Anti-Sandinistas Foresee a Coalition

By STEPHEN KINZER

Opposition leaders in Managua say they believe that the next Nicaraguan Government will be a coalition between themselves and the Sandinistas, regardless of who wins the presidential elections scheduled for Feb. 25.

"Even if the opposition wins, we are going to have to negotiate with the Sandinistas," said Dr. Emilio Alvarez Montalván, who for years has been a close adviser to the newly nominated opposition candidate, Violeta Barrios de Chamorro. "The Sandinistas control the army, and that is a reality we are going to have to deal with."

Some diplomats in Managua have said they believe that the opposition has little prospect of winning the February election. Several opposition figures, however, said this week that they felt victory was possible.

Against the Odds

Opposition leaders did not immediately comment on reports that the Bush Administration planned to openly use the National Endowment for Democracy, which is federally financed, to send \$3 million to Mrs. Chamorro. In the past, the opposition leaders have been split on whether such aid would be worth the criticism it would draw from the Sandinistas, who have asserted that opposition politicians were puppets of Washington.

Roger Guevara Mena, a prominent Nicaraguan opposition figure, said he believed that the opposition ticket faced formidable obstacles, but that it could win at the polls.

"If we stay united, and if we are able to capitalize on the discontent that is out there, we can win," he said. "What happens if we do win, whether the Sandinistas would actually surrender power, is another question. But we can't worry about that now."

Another opposition figure, Luis Humberto Zuzmán, who is running for re-election to the National Assembly, said he also believes that the opposition has a real chance to win the presidency. But he predicted that whoever wins, the next government will be a coalition.

"The country can no longer survive with all political power concentrated in one party," Mr. Guzmán said in a telephone interview. "Apparently even the Sandinistas now accept this. Once the election is over, what will probably emerge is a government of national unity."

For years, Sandinista leaders have vowed never to surrender political power. President Daniel Ortega Saavedra; who is expected to be a candidate for re-election, has pledged to permit a free election in February. What the Sandinistas will do if they lose, however, is still highly uncertain.

Under Foreign Scrutiny

The campaign and voting are to be monitored by an unusually large number of foreigners, *including former President Jimmy Carter*. Former Attorney General Eliot L. Richardson has been named to head the United Nations observer mission.

Nicaragua's last presidential election was marred by bitter debate over restrictions imposed by the Sandinistas. The principal opposition candidate, Arturo Cruz, refused to register his candidacy to protest the restrictions.

"If I had to bet on the outcome of this coming election, I would say that some kind of coalition government will be the final result," Mr. Cruz said in a telephone interview this week. "The Sandinistas are totally repulsed by the idea of giving up power. If they lose control over the national budget, they lose the ability to punish and reward, and if they lose that, they risk becoming a miniparty within four or five years."

"What I see in the future is some kind of understanding between the Sandinistas and the opposition. The country is in a disastrous state, and it needs a government that represents all social and political groups."

Rifts Within the Opposition

The newly nominated Mrs. Chamorro has been seeking to unify opposition groups behind her candidacy. Some hard-liners in the opposition were angered

by the selection of Liberal leader Virgilio Godoy Reyes as her running mate, and were threatening to sit out the campaign. But at a meeting Thursday, all factions of the United Nicaraguan Opposition signed a document pledging full support for the ticket.

The nomination of Mr. Godoy over the more militantly anti-Sandinista businessman Enrique Bolaños Geyer marked a sharp loss in political influence for the Superior Council of Private Enterprise, which Mr. Bolaños headed for much of the 1980's. Mr. Godoy presented himself as more ideologically progressive than Mr. Bolaños, and his presence on the ticket suggests an openness to future talks.

Mr. Godoy served as Minister of Labor in the Sandinista Government from 1979 to 1984, before breaking with the regime.

"Godoy knows the Sandinistas from inside," Mr. Guevara said. "He is one of the few politicians in Nicaragua who has the qualities of a statesman. If there is any kind of negotiation after the election, he would be an ideal negotiator."

Opposition leaders said they would spend much of this month shaping lists of candidates for the 90 elected seats in the National Assembly. They hope to agree on a single 90-name list that would represent all opposition parties, but drawing up such a list will likely take time and involve delicate negotiations.

Another question is the role that Mr. Bolaños, the country's most prominent business leader, will play in the campaign. His influence, and that of the organized business community, appears to be declining in the opposition, while that of political party leaders is increasing.

Mrs. Chamorro has already begun her campaign, delivering several speeches urging people to register and vote.

"If they refuse to let us use trucks, we'll go in ox carts, on mules, or on foot," she told one audience in Managua.

In the past, Mr. Ortega has scorned Mrs. Chamorro as part of a group of reactionaries uninterested in the needs of poor people. Concern over such charges led some opposition leaders to favor the left-leaning Mr. Godoy over the strongly conservative Mr. Bolaños as their vice-presidential candidate. They said the combination of Mrs. Chamorro, a daughter of the aristocracy, with Mr. Bolaños would constitute a "country club ticket" unappealing to the country's poor majority.

Carter Coaxing Nicaragua on Free Elections

The Associated Press

MANAGUA, Nicaragua - Former President Jimmy Carter said Saturday that Nicaragua's relations with the United States will improve if the Sandinistas hold free and fair elections next year.

Mr. Carter came to this Central American country as head of a delegation that is to observe the electoral process and the election Feb. 25.

Nicaragua's left-wing Sandinista government, the 14-party opposition coalition and the Supreme Electoral Council sent an invitation for observers to the Council of Freely Elected Heads of Government, based at the Carter Presidential Center of Emory University in Atlanta.

The Supreme Electoral Council is to organize and supervise the balloting.

Former President Raul Alfonsin of Argentina, a member of the delegation, sat next to Mr. Carter and his wife, Rosalynn, at a news conference at Managua's airport.

"If President Alfonsin and I and others can certify in February that the elections have been honest and fair and that the successful candidates are the legitimate leaders of Nicaragua, this would almost ensure, in my opinion, an immediate improvement in relations between the United States and Nicaragua," Mr. Carter said.

He said he knew of existing "differences" between the opposition and President Daniel Ortega's government. But he said it would be premature to address those issues until he had a chance to speak with all sides.

In May, Mr. Carter observed Panama's elections and called them fraudulent. Panamanian leader Gen. Manuel Antonio Noriega had the elections canceled when, according to Mr. Carter and other international observers, the opposition candidate won by a landslide.

Asked what lessons he had learned during the Panamanian elections that could be applied to his current task, Mr. Carter replied, "From what I know to date, those means used to have a fraudulent election in Panama have been carefully avoided for Nicaragua."

Referring to an aborted Bush administration plan to channel \$3 million in aid to opposition presidential candidate Violeta Barrios de Chamorro, Mr. Carter said any campaign contributions "should be open and overt in nature and comply completely with the laws."

The project, which would have channeled the money openly through the National Endowment for Democracy, was canceled because of opposition in Congress. Mrs. Chamorro, publisher of the opposition newspaper La Prensa, is being fielded by the National Opposition Union coalition.

Mr. Carter also denied speculation that he may be representing the U.S. government and said his delegation would remain impartial in its observations. Observers from the United Nations and the Organization of American States also have been invited as monitors.

Indians Cheer Carter Message In Nicaragua Their Rebel Chiefs Get OK to Return Home By Deborah Scroggins

Staff Writer

MANAGUA, Nicaragua - Former President Jimmy Carter told hundreds of cheering Miskito Indians on Monday that the Sandinista government had agreed to allow the return of their guerrilla leaders under the same terms of repatriation allowed to the U.S.-backed contras.

The agreement could lead to the return of some 30,000 Miskito Indians who have lived in Honduras since 1981, when Indian leaders launched their war on the Sandinista government.

Speaking in a church in Puerto Cabezas, the ramshackle village that is headquarters of the Miskitos, Mr. Carter said he believed their charismatic leader, Brooklyn Rivera, would be coming home in a few days.

The Indians burst into applause and song at the news that the exiled Mr. Rivera, as well as leaders of other Miskito factions, could return under the same terms as U.S.-backed contras fighting in the western area of the Nicaraguan-Honduran border.

After meeting with Minister of the Interior Tomas Borge, Mr. Carter said the government agreed to drop two conditions of repatriation opposed by Indian leaders and modified a third.

A few hours later in Managua, Mr. Carter announced that Mr. Rivera, the most prominent Indian leader, accepted the revised terms.

He said Mr. Rivera will meet with him soon to make plans to come home before Sept. 29. Exiles who want to participate in the Feb 25 election must return to Nicaragua by Sept. 29, according to peace agreements signed by the government.

Previously, the government had demanded that Mr. Rivera and other leaders make the Indian guerrillas give up their arms within 30 days of returning as well as promise not to form a political party or to criticize the electoral process.

Mr. Carter said Mr. Rivera told him on Friday that he did not have the authority to force the guerrillas to demobilize so quickly.

The Sandinistas have now accepted Mr. Rivera's word that he will "make an honest effort" to persuade his fighters to give up their weapons, Mr. Carter said. He added that they have agreed that the Miskitos have the right to form a political party and to criticize the electoral process.

"In my opinion, the problem has been successfully resolved," Mr. Carter told reporters. "The agreement is that the Miskito Indian leaders would be required to meet the same conditions as the contras in order to return."

Like the contras, Mr. Carter said, the Indians must agree to renounce armed struggle, not to engage in illegal activities and to co-operate in the nation's political life before they can return. While most observers said the return of the Miskito leaders is unlikely to affect the outcome of the election, they said it has enormous symbolic value.

"This was the last piece, the last group who had not been included in the national reconciliation," said a member of Mr. Carter's staff.

Mr. Carter, who left Managua Monday afternoon to return to Atlanta, had been in Nicaragua since Saturday on a fact-finding mission for the council of Freely Elected Heads of Government.

As chairman of the council, Mr. Carter is leading a delegation to observe the Nicaraguan elections on Feb. 25.

His group is the only official observer to be invited by the government, the opposition party, and the Supreme Electoral Council.

The Supreme Electoral Council, a national body, is supervising the election. At his final news conference before departure, he said his meetings with the government and the political opposition "gave us optimism that the elections will be free and fair.

Mr. Carter said that he plans to encourage the United States to give aid openly to Nicaraguan opposition political parties and to the Supreme Electoral Council.

"If any money goes to the political parties, it goes in equal amounts to the Supreme Electoral Council," he said. "This is clearly understood by me, by the leaders of Nicaragua, by the opposition party, and by the electoral council." Mr. Carter added that he has asked the Sandinistas "to correct the impression" that young men are still being conscripted into the army, one of the opposition's main concerns.

He said government officials have told him they will stop expropriating private land, another opposition complaint.

Carter Asserts the Sandinistas Try to Smear the Opposition

Special to The New York Times

ATLANTA, Nov. 14 - Former President Jimmy Carter said today that the Sandinista Government was trying to smear opposition candidates in February's elections by tying the leading opposition coalition to military violence by contra forces still fighting in Nicaragua.

Mr. Carter made his remarks at a daylong seminar on the Nicaraguan elections at his Presidential center. He is to lead an official team to monitor the Feb. 25 elections, a role he performed at elections May 7 in Panama - elections Mr. Carter denounced as fraudulent.

Earlier today, a new, independent poll of Nicaraguan voters was made public showing a virtual dead heat between President Daniel Ortega Saavedra and the candidate of the National Opposition Union, Violeta Barrios de Chamorro.

Mr. Carter said he had complained privately to Sandinista representatives about a news article and an editorial today in the official Sandinista newspaper, Barricada, which attacked Alfredo César, member of the National Opposition campaign committee.

"I've been quite concerned that Barricada, the official newspaper of the Sandinista Government, has apparently published a totally fraudulent letter ostensibly written by Alfredo César," Mr. Carter said.

"He informed the news media, including Barricada, that this was a false document. They have persisted in trying to besmirch his own character and tie U.N.O. in with the contra military activity in a completely illegitimate fashion.

"We discussed this in a private session this morning. And I think the appropriate corrective action to be taken by both President Ortega, who has great influence over the editor of Barricada, and the newspaper itself, is to acknowledge the falsity of this report."

The feature of today's forum at the Carter Center of Emory University was a debate between opposition representatives, including Mr. César, and Alejandro Bendaña, secretary general of the Nicaraguan Foreign Ministry.

Mr. Bendaña said the Sandinista Government was seeking an unequivocal condemnation by opposition leaders of military violence by the contras.

"I did not hear Mr. César explicitly condemn the murders of innocent victims by the contras that have been documented in the press," Mr. Bendaña said. "I did not hear him call, nor have we had anybody call, for the explicit demobilization of the contras. If we are talking about post-electoral society these are factors that are going to be taken into account because the wounds are deep and it is civilians that are getting killed."

But Mr. César said the opposition had no ties to the contras and should not be forced to apologize for contra military actions. "What is wrong is to try to put U.N.O. into a trap. If U.N.O. were to say openly or clearly as the Government wants, that we condemn the contras, then what will happen is U.N.O. will become evidently responsible for whatever happens later on.

"I condemn and U.N.O. has officially condemned every military action, attack, assassination, kidnapping, bomb, mines that take lives of Nicaraguans away, that happen on Nicaraguan territory, without naming that we condemn one specific party or not. Wherever they come from, we condemn them all, all of them."

Mr. César and Moisés Hassan, presidential candidate of the Movement for Revolutionary Unity, said that the new poll results indicated that whoever wins the election in Nicaragua should be prepared to share power. "Whoever wins, they won't be able to hold a clear majority in the National Assembly," Mr. Hassan said in a two-hour debate.

Mr. César agreed: "Whatever results we have in the Feb. 25 election - if they are held, if they are not postponed, and if they are fair - the game is over in Nicaragua for one player. From then on you're going to need two to tango."

"And so the basic point is: Is the Government ready?" Mr. César asked, adding, is it "ready to confront such a challenge, risking power in the election or winning by a small margin?"

Mr. Bendaña and the opposition representatives all indicated a willingness to accept the results of the election.

Nicaragua's elections back on track, Carter reports after fact-finding trip

By Elizabeth Kurylo

Staff writer

Former President Jimmy Carter goes to Washington today to brief the Bush administration on his recent fact-finding trip to Nicaragua.

Carter aide Robert Pastor, who will go with Mr. Carter, said meetings are set for this afternoon. Dr. Pastor would not identify the administration officials with whom they will meet.

Mr. Carter, who heads an international delegation that will monitor Feb. 25 elections in Nicaragua, spent four days in the Central American country last week. He was investigating violence, threats and harassment against opposition leaders that began in October, endangering the election process.

At a dinner Friday night at the U.S. ambassador's residence in Managua, Mr. Carter called for economic aid to Nicaragua if the elections are judged to be honest.

Among those attending the dinner were Sens. Bob Graham (D-Fla.) and Dennis W. DeConcini (D-Ariz.) and the ambassadors of the Soviet Union, West Germany, Japan, Sweden, Spain, Costa Rica, Mexico, Italy and Venezuela. During his visit, Mr. Carter met with Nicaraguan President Daniel Ortega and opposition presidential candidate Violeta Chamorro. He also met with the five members of the Supreme Electoral Council, which agreed to issue a directive increasing the police presence at campaign rallies to prevent violence.

The directive, issued Monday in Managua, prohibits weapons at political rallies and bans the sale of alcohol on the day of a rally. In addition, police must inspect rally sites and intervene if violence erupts.

Police did not intervene 10 days ago at an opposition rally in Masatepe. One person was killed and 18 were injured at the rally. Dr. Pastor said no violence occurred during three political rallies Saturday and Sunday, after Mr. Carter left Nicaragua.

Before returning to Plains, Ga., late Saturday, Mr. Carter went to San Jose, Costa Rica, for a four-hour meeting with President Oscar Arias and Venezuelan President Carlos Andres Perez. Mr. Carter gave them his assessment of the political climate in Nicaragua and the prospects for peace in Central America. Although it is too early to tell whether Nicaragua's elections will be free and fair, Mr. Carter was pleased with his visit, Dr. Pastor said.

"Overall, the purpose of the trip was to try to put the electoral process back on track," Dr. Pastor said. "I think the visit succeeded in that objective."

Carter Lauds Managua on Procedures for Election

By MARK A. UHLIG

Special to The New York Times

MANAGUA, Nicaragua, Jan. 29 - Strongly praising Government preparations for the Feb. 25 national elections, former President Jimmy Carter left Managua on Sunday night after mediating between Sandinista and opposition leaders on concerns ranging from reported police intimidation to restrictions on campaign funds.

"Technically, it looks superb," said Mr. Carter, who is leading an international delegation of former Government officials to observe the vote. "If the problems we have outlined are corrected, as we have been assured they will be, then I think the process will also be excellent."

Mr. Carter, interviewed at a Managua hotel before his departure, said his group successfully negotiated an agreement to expedite the transfer of \$9 million approved by the United States Congress to support the opposition coalition, the National Opposition Union. He said new steps were taken to insure that international observers would detect or prevent problems of intimidation in the elections.

In addition to Mr. Carter's group, the elections will be monitored by observers from the United Nations and the Organization of American States which will field separate teams of 200.

Mr. Carter said that during his threeday visit, the third he has made since agreeing to monitor the vote last summer, his group investigated a range of potential irregularities. He said Government leaders were willing to work closely with his group and others to correct and strengthen procedures.

4,394 Voting Places

Among the most serious problems that the group investigated, he said, were allegations of intimidation of poll watchers, who will be expected to represent the opposition parties at each of the country's 4,394 voting places to guarantee against fraud.

Mr. Carter said poll watchers from opposition parties complained of harassment by the military and state security forces. But he said Sandinista leaders agreed to investigate and halt any intimidation by their supporters.

And he said the Government agreed to provide international observers on election night with two extra copies of the results from each voting place, signed by all poll watchers present.

Officials from the United Nations and the Organization of American States, he said, will use the tallies to conduct independent counts for all votes cast in the election. The sheets will serve as a permanent, verifiable record of the poll watchers responsible for protecting the opposition interests at each polling place, he said.

"It is crucial that all the fiscales that have been recruited and designated beyond their jobs on election night to insure the integrity of the elections," Mr. Carter said, using the Spanish term for a poll watcher.

The former President said his group also investigated growing complaints by opposition members that Government leaders were blocking funds approved by Congress for the coalition.

Issue of U.S. Aid

Of the \$9 million that was approved, opposition officials said, \$3.3 million was due to have reached their coalition and a related foundation, the Institute for Electoral Promotion and Training, which was set up to train opposition poll watchers. But just \$200,000 was released by the Government as of late last week, they said.

Mr. Carter said he believed that the delay was caused by sluggish American bureaucracy and Nicaraguan banking restrictions. But he said that Sandinista officials accepted a special agreement, hand-written and witnessed by Mr. Carter, to overcome the remaining barriers and permit immediate release of the funds.

In a separate negotiation, Mr. Carter said, the Government had agreed to permit him to enlarge his observation group by adding up to eight new members of the United States Congress.

The enlarged group, he said, would help compensate for Nicaragua's refusal to grant visas to members of a special congressional observer mission proposed by President Bush. He said the new members would represent both parties and would be selected in consultation with President Bush.

Monitors flood Nicaragua to ensure fair vote

Parallel tallies planned to check official count

By Elizabeth Kurylo

Staff writer

MANAGUA, Nicaragua - As Nicaraguans made final preparations for Sunday's national elections, Jimmy Carter pledged Friday to "ensure that the results reflect your decisions and are respected."

"This is an historic moment for the people of this nation, an opportunity to choose your leaders and heal this divided land," Mr. Carter said at a news conference after arriving to monitor the vote.

Twelve U.S. lawmakers, including Rep. Ben Jones (D-Ga.), are on Mr. Carter's team. It was formed by the Council of Freely Elected Heads of Government, which is based at the Carter Center in Atlanta. Several former Latin American presidents also are on the team.

Mr. Carter said his group would work with observers from the United Nations and the Organization of American States, the most prominent of thousands of international observers who have flooded Nicaragua in recent weeks. They plan to conduct a parallel tabulation of the count Sunday, Mr. Carter said. train opposition poll watcher

"We have done our homework," said George Price, former prime minister of Belize, adding that the group had made six preelection visits since September. "As international observers, we intend to be meticulously impartial," Mr. Price said. "We will seek to be objective in assessing the evidence before making a judgment as to the fairness of the campaign, the election and the count."

Mr. Carter, who read his opening statement in Spanish, said members of his group would spend election day at polling places all across Nicaragua and report their findings to him.

"We have come here to support the people of this courageous country who want to vote and build a democracy," he said.

Mr. Carter spent most of Friday afternoon in private meetings with other observers and election officials. He met later with opposition candidate Violeta Chamorro and may meet President Daniel Ortega before Sunday's election. He plans a joint news conference today with OAS Secretary-General Joao Clemente Baena Soares and Elliot Richardson, special representative of the U.N. secretary-general.

The Associated Press reported that the White House had been urged to "go slow" on normalizing relations with Nicaragua in the event of a Sandinista victory, with two prominent observers citing the possibility of fraud in Sunday's election. Sen. Richard G. Lugar (R-Ind.) and Allen Weinstein, president of the independent monitoring organization known as the Center for Democracy, said Nicaragua is using a teletype system to transmit voting results that opens opportunities for the Sandinistas to engage in fraud.

Mr. Weinstein also complained that the Sandinistas have blocked delegations from Honduras and Costa Rica that were to join the center's observation efforts, the AP reported.

In addition, Mr. Weinstein said the government had barred observers from the center from going in and out of precincts to watch the vote count; denied visas for additional staff members for the center's Managua office; and denied visas for two dozen U.S. Democratic and Republican political leaders to join its monitoring operation.

THE ELECTION IN NICARAGUA

Carter sympathizes with Ortega, recalling his own 1980 loss

By Elizabeth Kurylo

Staff writer

MANAGUA, Nicaragua - Former President Jimmy Carter said Monday that he reached back to the memory of his painful 1980 re-election defeat to help Nicaraguan President Daniel Ortega cope with his loss to Violeta Chamorro. "I told him that I understood how he felt perhaps better than anyone else at the table because I had been through a re-election attempt and had been defeated. It was very painful for me," Mr. Carter said. "But I wanted him to realize that despite his feelings at that moment, he had also gained a victory.

"He had taken the initiative to offer his people complete freedom to achieve democracy through expressing their own will," and the exercise was "successful, even though I knew that the results to him were a surprise."

Mr. Ortega appeared emotionally crushed during a private meeting at his campaign headquarters with Mr. Carter and the heads of the United Nations and Organization of American States observer teams, Carter aide Robert Pastor said. Dr. Pastor said it became clear that Mr. Ortega was losing about 9:30 p.m.

Sunday when "quick count" polls conducted by U.N. observers showed Mrs. Chamorro with 56 percent of the vote and Mr. Ortega with 40 percent.

Knowing that Mr. Ortega was receiving a count that confirmed the U.N. numbers, the Carter team worked feverishly to arrange a meeting. If Mr. Ortega was considering stealing the election, as former Panamanian strongman Manuel Antonio Noriega did last May, he would do it at that point, Dr. Pastor said.

For two hours, the Carter observers couldn't find Mr. Ortega, who apparently was meeting with the eight other Sandinista leaders. At midnight, he sent word that he would meet Mr. Carter at campaign headquarters.

Mr. Ortega was ashen-faced as he drove himself up the back entrance, away from the disappointed crowd. He was accompanied by Vice President Sergio Ramirez and other Sandinista leaders.

"They were all extremely serious," Mr. Carter said. "They never deviated from their commitment to honor the results of the election."

Dr. Pastor said the group was drained by the defeat. "As soon as Ortega came into the room, it was obvious that he was aware he was losing, and losing badly."

Mr. Ortega did, in fact, acknowledge he was losing, Dr. Pastor said, but the Sandinista leader at first was not ready to concede. Then Mr. Carter and U.N. envoy Elliot Richardson tried to convince him the count was decisive.

Eventually, Mr. Ortega was ready, "but he needed some assurances," Dr. Pastor said. He wanted Mrs. Chamorro to wait for the announcement by the Supreme Electoral Council before claiming victory, and he wanted time to talk to his campaign organization, Dr. Pastor said.

"He was concerned about violence," Dr. Pastor said. "He wanted to be sure he had adequate time to prepare."

Mr. Carter agreed to Mr. Ortega's conditions, and Mr. Carter and Mr. Richardson went to Mrs. Chamorro's house to seal the deal.

At a news conference later, Mr. Carter said he and former Washington Gov. Daniel Evans called U.S. Secretary of State James A. Baker III at 4 a.m. Monday to inform him of election results. They briefed Mr. Baker on their meetings with the candidates.

Mr. Carter said he "described the generosity that has been shown by President Ortega" and the "very generous victory statement" from Mrs. Chamorro's National Opposition Union.

Hours later, Mr. Carter praised Mr. Ortega for accepting defeat, honoring the results and agreeing to a peaceful transfer of power. He said the action will lead to better relations with the United States.

Rep. Ben Jones, a suburban Atlanta congressman who was in Nicaragua as part of Mr. Carter's observer team, called the election "remarkably clean by any country's standards."

Mr. Jones's small team of observers was sent to Nicaragua's war-torn northeast coast, where Sandinista control has been tenuous at best.

"It was amazing," Mr. Jones said, "to see people, old people, running to get in line so they could vote."

Staff writer Mike Christensen contributed to this article.

NICARAGUA'S ELECTION: THE OPPOSITION WINS

Carter Played Pivotal Role in Hours After Polls Closed

By Lee Hockstader

Washington Post Foreign Service

MANAGUA, Nicaragua, Feb. 26—When former president Jimmy Carter was invited here last year to monitor Nicaragua's elections, an aide was reminded of the former president's monitoring effort in Panama's balloting last year.

Carter had headed the only official election observer team in Panama, and the aide, Robert Pastor, felt the job had been partly botched: Gen. Manuel Antonio Noriega had ignored the results of the vote.

Outlining measures to prevent a similar situation in Nicaragua, Pastor concluded, "Maybe this time we can get it right."

By all accounts, Carter got it right Sunday in Nicaragua.

In a pair of critical meetings late Sunday and early Monday, Carter was instrumental in mediating between President Daniel Ortega, who was on his way to a devastating defeat, and Violeta Chamorro, the newspaper publisher who swept to victory Sunday.

Around midnight, Ortega-flanked by Vice President Sergio Ramirez, Foreign Minister Miguel d'Escoto, and Sandinista campaign manager Bayardo Arce—received Carter and two other senior observers, former attorney general Elliot Richardson and Joao Baena Soares, secretary general of the Organization of American States.

The question on the minds of Carter and the other observers was whether Ortega would accept the results. Having pledged for months to respect the judgment of the people in free elections, this was the hour of truth. The Sandinistas, having conducted their own preliminary count of a sampling of polling precincts, knew they were behind, Pastor said. But they indicated there was still a chance of victory based on a narrower margin than the early returns collected by Carter and the other observers.

"Carter made clear that the count was decisive and would not deviate," said Pastor. For an hour, the group heard Ortega's concerns, registered with contained emotion and eloquent speech: that Chamorro's National Opposition

Union not be allowed to release preliminary results early on, that the opposition not gloat over their apparent victory.

Carter's next stop was Chamorro's house, where one source said the mood was festive before he arrived. But Carter's arrival brought a somber air to the house at once, and a serious discussion ensued with the candidate and her advisers.

The result, said Pastor, was positive. A couple of hours later, Chamorro gave a gracious victory speech, reaching out to her opponents and appealing for calm and reconciliation. A little after dawn, Ortega faced the press and hundreds of his supporters and acknowledged that defeat was inevitable.

In a news conference today, Carter credited Ortega with "a remarkable demonstration of freedom, of democracy in action and respect for human rights." He also announced that leaders of the Sandinistas and the opposition had asked that staff members from the Carter Center in Atlanta stay in Nicaragua longer.

Having visited Nicaragua three times before election day to check on the electoral campaign, Carter's personal prestige in Nicaragua is considerable. Each of his visits has resulted in an accord with the government, one to allow Nicaraguan Indians to return from exile; one to ensure against campaign violence, and one to release stalled U.S. funds for the opposition.

In the streets Sunday night, subdued opposition supporters, deeply suspicious of Ortega, were certain that Carter had been the key to keeping the elections clean. Said one driver: "Carter put him in office, and Carter got him out!"-a reference to the Sandinista revolution in 1979, during Carter's presidency.

CHARMORRO ELECTED

Ortega Pledges He Will 'Respect and Obey' Voters' Mandate

By **MARK A. UHLIG**

Special to The New York Times

MANAGUA, Nicaragua, Feb. 26 - The leader of Nicaragua's opposition coalition crushed President Daniel Ortega Saavedra in national elections here on Sunday, apparently bringing an end to 10 turbulent years of Sandinista rule.

The landslide victory by the opposition candidate, Violeta Barrios de Chamorro, turned the closely monitored elections into a powerful repudiation of one of Latin America's most prominent and fiercely debated revolutionary Governments. Celebrating her victory early today after the results were made public, Mrs. Chamorro said, "We have shown the world an example of civic duty, demonstrating that we Nicaraguans want to live in democracy, want to live in peace and, above all, that we want to live in liberty."

Ortega Pledges Acceptance

President Ortega, looking subdued as the results became known, said, "The President of Nicaragua and the Government of Nicaragua are going to respect and obey the popular mandate coming out of the vote in these elections."

[Excerpts from the two speeches appear on page A4.]

Despite Mrs. Chamorro's victory, and President Ortega's seeming acquiescence in defeat, there remains skepticism that Mr. Ortega, a lifelong revolutionary and politician, will be able to persuade the Sandinista Front to accept a Chamorro government. Mrs. Chamorro is scheduled to be inaugurated on April 25.

The vote lays the groundwork for the first democratic transfer of power that this country has known, a turnover that parallels to some degree the changes in Eastern Europe, where Communism has little by little given way to democratic change.

Lead of 14 Percentage Points

Mrs. Chamorro, 60 years old, is the widow of Pedro Joaquin Chamorro, the newspaper publisher whose assassination touched off the rebellion that led to the Sandinista takeover. She ran as the candidate of the 14-party National Opposition Union, a coalition of leftists, rightists and other Nicaraguan parties. The official voting results, supervised by a large contingent of international observers, including former President Jimmy Carter, gave Mrs. Chamorro a lead of 14.4 percentage points. Her vote total with 82 percent of the ballots counted was put at 633,357, or 55.2 percent of the presidential vote. Mr. Ortega of the Sandinista National Liberation Front received 468,040 votes, or 40.8 percent of the total.

Turnover in Nicaragua: A Latin Landslide

Nicaragua's Opposition Routs the Sandinistas in Election, and U.S. Pledges Aid >

Small parties received the rest of the votes as Nicaraguans elected a President, Vice President and National Assembly, which the opposition will now control.

Awe and Disbelief

Across the country, beginning in the early morning, there was the almost surreal sensation of imminent change. Nicaraguans shared a widespread sense of awe at the power of their own votes, and disbelief that something so pervasive and apparently entrenched as the Sandinista Front had suddenly been swept aside. A huge rally planned near Sandinista headquarters slowly dissolved into a mournful gathering, while opposition loyalists whooped it up at the restaurant that has become their staging ground.

The Chamorro victory has stunned many political analysts, and American officials also appeared to be caught off guard by the depth of the Sandinista defeat. Polls by outside groups consistently suggested that the Sandinistas would sweep to victory, and just last week the Government mounted a rally of at least 300,000 people that dwarfed similar opposition demonstrations.

But reporters and other outsiders who spent hours interviewing average citizens in working-class neighborhoods became convinced that the polls were misleading. Their view was that the electorate of about 1.7 million in this country of 3.5 million was mouthing support for Mr. Ortega while secretly looking to oust the Sandinistas after a decade of civil war and economic ruin.

In recent days the White House had softened its line toward the Sandinistas, suggesting that after an expected Ortega victory, Washington would try to mend relations with the Government, against which it has waged a civil war by proxy for about eight years. Today, President Bush exulted in the opposition's victory.

Threats to Orderly Transition

An orderly transition is far from certain. In recent weeks, Interior Minister Tomás Borge, who controls the secret police and is considered one of the most rigid members of the nine-member Sandinista National Directorate, has repeatedly

suggested that the election of Mrs. Chamorro would make Nicaragua "ungovernable."

In the ranks of the Sandinista People's Army, which is headed by Mr. Ortega's brother, Humberto, and in the Interior Ministry, which maintains its own uniformed troops, virtually all officers and most enlisted men are subject to Sandinista political training. and Mr. Borge has pointedly said any attempt to change the current leadership would be met by insubordination and even violence from Sandinista forces.

The military is particularly suspicious of members of the opposition coalition who have longstanding ties to the United States-armed contra rebels ~~\$\$\$Word\$\$\$~~. The civil war has killed 30,000 Nicaraguans since it began in the early 1980's.

"Given the existence of revolutionary armed forces," the official Sandinista newspaper Barricada said, describing Mr. Borge's views, "how could the officers obey the wild orders of those who were named minister of defense and minister of the interior?"

No Comment From Borge

Aides to President Ortega said he was speaking for all Sandinista Party members and officials, including Mr. Borge, in his promise to respect the election results. But Mr. Borge did not appear at the gathering, and has made no public comment on the defeat of the Sandinista Front, of which he is the last surviving founder.

The election results appeared certain to produce a dramatic improvements ~~\$\$\$Word\$\$\$~~. Between Nicaragua and the Bush Administration, which gave political and financial support to Mrs. Chamorro's candidacy. They were seen as a virtual guarantee of an end to the American-sponsored insurgency. And they promised to deal a powerful blow to American adversaries like the Cuban leader, Fidel Castro, and to the leftist guerril ~~\$\$\$Word\$\$\$~~ of the Sandinista Government.

Mr. Ortega, who said in an interview on Friday that Mrs. Chamorro did not have "even a hypothetical chance" of victory, compared his party's defeat to the bitterest moments of the Sandinistas' long guerrilla war to overthrow the former dictator, Anastasio Somoza Debayle. He said the party would accept without malice the prospect of leaving power.

"We were born poor and are satisfied to die poor," said Mr. Ortega, who remained composed as he spoke to journalists and cheering supporters at a large, modern Government convention hall here, "because we worked in these elections to emphasize a project which has become a challenge to the intelligence, the imagination, the creativity of the people in their permanent struggle ~~\$\$\$Word\$\$\$~~.

In an effort to allay fears of possible retribution or wholesale dismissals from the military and security forces, Mrs. Chamorro and her advisers have repeatedly stressed that they will remove only high-ranking Sandinista officers, and will not take abrupt or arbitrary action against soldiers or other social or political groups. "This is an election that will never have exiles, or political prisoners, or confiscations," Mrs. Chamorro declared in her acceptance statement. "Here we have neither victors nor vanquished."

There was no immediate word on how such a policy might be received by the estimated 10,000 remaining members of the contra army. Nor was there respect for the election results. But Mr. Borge did not have a clear sense of how contra fighters expected total amnesty would be received by or integrated into former Sandinista military units.

But both issues promised to add to the burdens of the diverse and frequently divided opposition leadership, which has never shown the success at internal politics that it showed in Sunday's balloting.

Results Were Delayed

Although election results had been promised to reporters and international observers beginning just two hours after the 6 P.M. close of voting, initial returns were abruptly discontinued at mid-evening Sunday, and official radio stations stopped broadcasting news reports, playing only a continuous stream of music. Questioned by reporters, election officials attributed the problem to slow receipt of information from outlying districts and inexperienced computer technicians at the large convention center, where hundreds of special phone and telex lines had been installed to process the election results.

Several diplomats suggested that the counting had been stopped to permit international officials time to persuade Mr. Ortega and other Sandinista leaders to accept the vote. But that version of events was denied by Mr. Carter, who said the public announcement was held up by a previous agreement among the political parties not to release premature or incomplete results.

At the barn-like Managua restaurant that has served as an opposition meeting place during the campaign, hundreds of cheering, dancing, crying opposition supporters arrived to celebrate Mrs. Chamorro's victory, yelling loud chants and signaling "No. 1" with their fingers. The coalition's acronym, UNO, means "one" in Spanish.

Across town at a large fairground that had been reserved for a Sandinista victory celebration, crowds began appearing before the scheduled start of the midnight rally. In place were giant sound systems, spotlights and the other equipment that has become a standard feature of mass Sandinista rallies.

Silence and Ashen Faces

But as the news of Mr. Ortega's defeat filtered through the crowd, preparations for dancing and drinking gave way to silence and ashen faces. Gradually, confused Sandinista supporters drifted toward the sleek new Sandinista campaign headquarters a few hundred yards away, looking for some indication of how to react to what was clearly an unimaginable, perhaps unimaginable turn of events.

At one point, as the solemn, shifting crowd gathered, Mr. Ortega's wife, Rosario Murillo, came out to lead the group in traditional songs of the Sandinista guerrilla movement.

In the working class neighborhood of Batahola North, 25-year-old Lorena Sánchez Barrios sat with her child and wept openly as she listened to Mr. Ortega's speech accepting the voting results.

"I can't believe it," Mrs. Sánchez said, expressing an emotion shared by the supporters of the Sandinistas and the opposition alike. "I just can't believe it."

Sandinista Leaders, Facing Defeat, Didn't Argue, Carter Says By MARK A. UHLIG

Special to The New York Times

MANAGUA, Nicaragua, Feb. 27 - When Sandinista leaders discovered on Sunday evening that they were losing their country's first free and broadly contested national elections, they made no attempt to keep power or dispute the results, former President Jimmy Carter said today.

Mr. Carter, who is leading a group of observers that monitored the fairness of Sunday's balloting, said he and the leaders of two large teams of international observers met with President Daniel Ortega Saavedra at about 11:30 on election night. He said they found no need to convince Mr. Ortega or other Sandinista leaders of the need to step down.

"There was never any question about whether they would accept the results of the election," Mr. Carter said, speaking with reporters at the hotel where his group set up its observation center.

The former President said the meeting, which took place before significant voting results were announced to the public, was arranged at the request of Mr. Ortega. Mr. Carter said the Sandinista leader appeared to be speaking with the full authority of the nine-member Sandinista National Directorate, of which he is a part.

Consensus Among Leaders

"He took the initiative, and I am sure he had thorough discussions with the other comandantes," Mr. Carter said "He was speaking as a leader representing a consensus."

Mr. Carter, who is at the center of one of the largest vote-monitoring networks assembled to insure the integrity of a democratic election, said preliminary "quick counts" of statistically selected voting stations made it clear to Sandinista leaders and international observers that the Sandinista National Liberation Front had lost. Mr. Carter, who was at the center of one of the largest coordinated vote monitoring networks ever assembled to insure the integrity of a democratic vote, said preliminary "quick counts" of selected voting stations had made it clear to Sandinista leaders that the Sandinista National Liberation Front had lost the election.

He said that Sandinista leaders own figures showed them losing by a 51-percent-to-44 percent margin, and that the observers figures showed the Sandinistas losing by an even larger margin, 55 percent to 40 percent.

The only discussion, he said, was "working out the step by step

Other officials from the two major international observation groups, sponsored by the United Nations and the Organization of American States, confirmed Mr.

Carter's election night account. And they said that the most apparent reaction on the part of Mr Ortega and other that the most apparent reaction on the part of Mr. Ortega and other Sandinista leaders was one of complete shock at the results. Government officials had believed there would be an easy Sandinista victory.

"We just had no idea," said one Sandinista official. "Until the middle of the evening, no one had given any thought to the idea that we could actually lose."

Since election night, most of the 2,000 foreign observers and invited guests who arrived here to monitor the election process have prepared to leave the country. Mr. Carter himself said that he will leave Wednesday morning, with the idea of returning on short notice if problems occur.

But Mr. Carter and officials of the United Nations and O.A.S. teams said that, in the wake of the opposition's victory, all three groups will leave behind skeleton staffs of observers to monitor the transition process.

The most important element still to be resolved, Mr. Carter said, is the demobilization of the Nicaraguan rebel troops still inside the country and its Honduran base camps. No agreement has been reached, either with the opposition or with the who are known as contras, on how such a demobilization should take place, and Mr. Carter said that Sandinista leaders expressed particular concern that safeguards be provided to prevent violence or revenge by armed contras after the Sandinista Government leaves office.

Other central issues, he said will be the peaceful transfer of control over the 65,000-man Sandinista People's army to opposition leaders. And he said delicate negotiations would be required about the new government's policies toward the poor farmers and other Nicaraguans who have received land that was confiscated from members of the Government of Anastasio Somoza Debayle, which the Sandinistas overthrew.

But Mr. Carter expressed confidence in the commitment of Sandinista leaders to fulfill their commitment to a peaceful transition, and praised Mr. Ortega and other Sandinista officials for what he said was a demonstrated commitment to a democratic process that he said they could someday look to for a future chance to govern.

"The Sandinistas are still young," he said. "It's not the end of the world for them."

Stunned Sandinistas Seek To Define Their New Role

By LARRY ROHTER

Special to The New York Times

MANAGUA, Nicaragua, Feb. 28 - Still in shock from their defeat in Sunday's election, leaders and loyalists of the Sandinista National Liberation Front are struggling to redefine their revolutionary movement as a more conventional political party.

The Sandinistas Front forged its identity in combat and solidified it during a decade of revolutionary power. Forced unexpectedly into opposition, the Sandinistas grudgingly admit they must rebuild their organization as a democratic party committed to competition, with all the risks and uncertainties that this entails.

"The struggle continues, but in a different field, the political field," a 30-year-old telephone company worker named Alvaro said today, reflecting the new line put forth by President Daniel Ortega Saavedra and his allies in the Sandinista leadership.

Since Sunday's crushing electoral defeat at the hands of Violeta Barrios de Chamorro and her 14-party opposition coalition, Sandinista loyalists have spent much of their time in what Mr. Ortega described on Tuesday as "plenary meetings to discuss and analyze the results of the election." Members of the

party, the army, the bureaucracy and Sandinista unions have attended such sessions, hastily called to maintain party unity and morale.

'Our Attitude Is Belligerent'

"Of course we feel we have suffered a blow, but among members of the front, our attitude is belligerent," Antonia Tiffer, a Sandinista lieutenant, said today. "There has been some orientation to encourage those who are feeling discouraged." Such meetings are also necessary because some Sandinista supporters, including many in the party-controlled military and police, are reluctant to accept Mrs. Chamorro's victory. Truck-loads of uniformed Sandinista supporters have appeared in the streets chanting "Daniel! Daniel!" and pro-Sandinista newspapers and radio stations are filled with demands that the front surrender "authority, but not power" to the victorious National Opposition Union, or U.N.O. But some of the party meetings have turned into freewheeling exercises in self-criticism in which neither Mr. Ortega nor other leaders of the front are spared. Among themselves, some Sandinistas are even franker in acknowledging the need to reform the front and rid it of the complacency and arrogance that has accumulated since the overthrow of Anastasio Somoza Debayle and his family dictatorship on July 19, 1979.

Privileges for the Elite

"All the top people got themselves a house, a car, shopping privileges in the dollar store, and free electricity and water," a Sandinista army officer said. "The people knew that, and they resented it because they were suffering and have nothing."

During the presidential campaign, he continued, the Sandinista leadership "tried to do in four months what it failed to do during 10 years, namely, to expand the base of support beyond the 400,000 of us who are already members of the front." But through years of polarization and neglect, "the front manufactured its own opposition, which now must be won over again," he said.

Sandinista loyalists said such sentiments were expressed at a meeting attended by Mr. Ortega and other senior members of the front's leadership. Some people present at the meeting said Mr. Ortega came down to embrace the critic but also told him that he too must do his part to help reform the party.

In a speech on Tuesday, Mr. Ortega sought to console his followers by reminding them that the front remains "the biggest, most solid and most organized party in the country." But some loyalists worry about the party's ability to hold its own in the new, more competitive political environment.

"The Americans are going to be sending Doña Violeta lots and lots of aid," a Sandinista official said, referring to the President-elect. "Where is our money going to be coming from? Perhaps the only way we will be able to return to power is through another revolution."

Still, not even the most fervent opponents of Sandinista rule say the Sandinistas will disintegrate in the way Communist parties in Hungary and East Germany have. Acknowledging that their movement adopted Marxist-Leninist principles, Sandinista members say nevertheless that theirs is an indigenous political force, not one imposed by a foreign power.

During its decade in power, the front benefited from its control of many news organizations and from a blurring of the distinction between state and party funds and materials. Once out of government, it is likely to lose many of those privileges, which have helped assure the loyalty of party members.

"The Sandinistas are going to shrink, because that's what happens to parties out of power," said Robert Pastor, an adviser on Latin American affairs under President Carter and the chief of Mr. Carter's team of observers here. "But they are a party built on an ideal, with a dedicated and talented leadership."

It is not clear which set of leaders will emerge strongest from the internal restructuring under way. Mr. Ortega and his brother Humberto, the country's Defense Minister, staked their personal prestige and reputation on winning the vote, and they will have to bear the responsibility, diplomats here said, for the front's poor showing.

Control of Security Forces

In addition, Humberto Ortega and Tomás Borge, who as Minister of the Interior commands the state security apparatus and a private army of more than 10,000, are virtually certain to be stripped of their posts in a Chamorro Government. Mr. Borge, the sole surviving founding member of the Sandinista front, and others who belong to the front's ruling nine-member directorate like Luis Carrión, are believed to have questioned the wisdom of staking everything on electoral politics.

Mr. Borge has not spoken in public since the balloting, though he did appear at Mr. Ortega's side on Tuesday at the party rally.

Sandinista loyalists who have heard Mr. Borge speak at closed party meetings say he remains strongly opposed to the idea of surrendering control of the military, the police and the security apparatus to the opposition, which has longstanding ties to the contras and is much resented by Sandinistas for the ruin of eight years of civil war.

As the losing presidential candidate, Mr. Ortega will be entitled to a seat in the 91-member National Assembly, where he could test his political skills as leader of the 39-seat Sandinista minority delegation. Under Nicaraguan electoral law, Mr. Ortega is entitled to a seat in the assembly as the leader of the losing party. According to preliminary results, the Sandinistas won 37 or 38 seats in the election itself, and UNO either 51 or 52. Another seat could go to a member of the Social Christian Party from a remote area near Honduras.

Certain that victory would be theirs, all but one of the other members of the Sandinista directorate declined to run for an Assembly seat.

"We are fully willing to support all actions in favor of the people," Mr. Ortega told followers in explaining the posture that the party will adopt when it goes into opposition on April 25.

"But we are disposed to firmly oppose and resist with force all actions that go against the people's will."

Bush Seeks Soviet Help In Nicaragua Transition

By ROBERT PEAR

Special to The New York Times

WASHINGTON, Feb. 28 - President Bush appealed today to the Soviet President, Mikhail S. Gorbachev, to help insure an orderly transfer of power in Nicaragua, Administration officials said today.

Mr. Bush made the appeal in a telephone call this morning before he set out on a cross-country trip that included stops in New York and San Francisco. The President described the talks as "very constructive."

The Administration also stepped up efforts to get the 10,000 contras encamped in Honduras to lay down their arms and go back to Nicaragua, a condition that both sides in Managua have called vital to an orderly transfer of power.

"The war is over in Nicaragua," said Secretary of State James A. Baker 3d, testifying today before the Senate Budget Committee.

Mr. Baker's comment was perhaps the clearest sign to date that the United States effort to arm and support the contras was ending. Since 1981, the United States has provided more than \$321 million in direct aid to the contras, including at least \$142 million for weapons and military equipment. Congress last cut off military aid in February 1988.

Moscow Reaction Pleases U.S.

Bush Administration officials said they were delighted that Moscow had moved quickly to accept the results of the elections on Sunday in which the Nicaraguan opposition candidate, Violeta Barrios de Chamorro, defeated President Daniel Ortega Saavedra by nearly 15 percentage points.

"I was very pleased with the Soviet statements about recognizing the winners of the election," Mr. Bush said. He reported that the telephone conversation lasted 40 minutes and also touched on the question of German reunification and plans for a summit meeting of the two leaders in Washington in June.

Marlin Fitzwater, the White House press secretary, said on Tuesday that the United States would upgrade relations with Nicaragua and send an ambassador to Managua. Harry W. Shlaudeman, a former United States Ambassador to Venezuela, Peru, Argentina and Brazil, was mentioned today as the leading candidate.

Mr. Shlaudeman conducted the last serious talks between Washington and the Sandinistas, which were terminated by the Reagan Administration in early 1985.

Mr. Shlaudeman, 63 years old, retired in June after a 35-year career in the Foreign Service, but he continues to serve as a consultant to the State Department on Nicaragua.

The last United States Ambassador to Nicaragua, Richard H. Melton, was expelled in July 1988 amid accusations that the United States Embassy was abetting opposition violence in Nicaragua. The United States responded by expelling Carlos Tunnerman, the Nicaraguan Ambassador to the United States.

Carter Meets With Baker

Former President Jimmy Carter, who led a delegation of election observers in Nicaragua, met with Mr. Baker at the State Department for 45 minutes today. Mr. Carter said the contras should lay down their arms and return to civilian life in Nicaragua. He said the future of the contras was "the key unresolved factor" in Nicaragua now that Mrs. Chamorro has defeated Mr. Ortega.

"If you have an army on the edge of your country or in your country that still threatens military action, that's obviously a very destabilizing factor," Mr. Carter said. "I don't think there is going to be a guarantee of an orderly transition as long as the contras are a military force threatening the country."

Mr. Baker voiced confidence today that the contras would be able to return safely to Nicaragua. The administration has asked the United States Ambassador to Honduras, Cresencio S. Arcos Jr., to work with the contras and persuade them to go home as soon as possible.

As a State Department official, Mr. Arcos worked closely with the contras last year. He occasionally expressed impatience with their political directors on the ground that they were "engaged in internecine political warfare, squabbling over sinecures" in Miami.

The United States has substantial leverage over the contras, having armed, trained, supplied, fed and clothed them for years. But Administration officials said they could not force the contras to return to Nicaragua if the rebels feared reprisals by Sandinista supporters, who will probably remain a strong political force in Nicaragua.

Bush Administration officials say their emphasis on bipartisanship home and regional diplomacy abroad has proved much more effective than the President Reagan's attempts to overthrow the Sandinistas with a guerrilla army. Aides to Mr. Baker said they hoped to curtail aid for the contras without seeming to abandon the rebels.

Mr. Baker's testimony came as the Sandinista Government decreed an immediate cease-fire in its war with the contras. President Bush called Monday for just such a step, saying he hoped that a cease-fire would be re-established because "there is no reason at all for further military activity from any quarter."

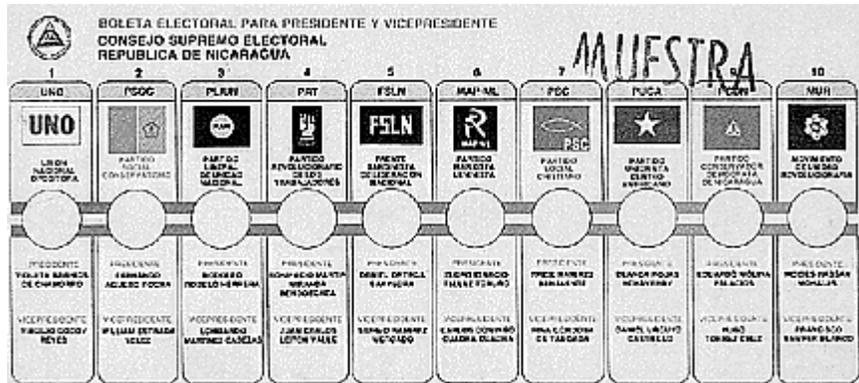
State Department officials noted today that even conservatives like Representative Mickey Edwards, Republican of Oklahoma, were now saying the contras no longer had a mission.

"The purpose of the contras was to bring democracy to Central America, particularly Nicaragua," Mr. Edwards said on Monday. "When Mrs. Chamorro is sworn into office, there will be no reason for the contras to continue to exist."

Robert A. Pastor, an aide to Mr. Carter, said today that he and the former President felt sure that the Sandinistas would hand over power to Mrs. Chamorro's team, despite statements by Mr. Ortega about the need for the contras to disband immediately.

"What Ortega means is that there must be a recognition of and respect for the integrity of the armed forces as an institution," Mr. Pastor said. "The Sandinistas have legitimate concerns about the nature of the transition, including the possible abuse or persecution of Sandinista leaders. Members of the opposition alliance understand that they must be sensitive to such concerns to achieve a smooth transition and to govern effectively."

**BOLETA ELECTORAL PARA PRESIDENTE Y VICEPRESIDENTE
CONSEJO SUPREMO ELECTORAL
REPUBLICA DE NICARAGUA**



Note 1: As a result of this agreement, the new President will hold office for seven years-the 10 months remaining in the current term and the subsequent 6 year term. [Back](#).